IMT Nuremberg Archives

H – 669

International Court of Justice

H0669 – 0002

SUPPLEMENTAL DOCUMENTS FOR THE DEFENDANT GOERING.

Interrogatories:

Dr. Baron von Hammerstein, No 52

Joseph Kammhuber, No 54

Karl Koller. No. 55

Kurt Student No 53

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D o c u m e n t s b o o k

Hermann G o e r i n g

No. 2

(Supplement)

Presented by the

Defense Counsel:

Dr. Otto S t a h m e r,

Lawyer.

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Exhibit Goering No. 28.

Letter from the Reich Minister and Chief of the Reich Chancellory dated 19.Nov.1940 to Goering

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(From the series of documents 1985 PS submitted by the Prosecution).

H0669 - 0006

Exhibit Goering No. 28.

Letter from the Reich Minister and Chief of the Reich Chancellory, to the President of the Cabinet Council for Reich Defence, Reichsmarschall Goering, dated 19.November 1940.

Honoured Reichsmarschall,

The Fuehrer has ordered that his Decrees and Ordinances in future are to be countersigned only by the Reich Minister and Chief of the Reich Chancellory and, if they refer to the Armed Forces, by the Chief of the High Command. Reich laws are as hitherto, to be countersigned by the competent Reich Ministers, the same applies to letters of appointment.

In compliance with the Fuehrer's instructions, I will in future refrain from submitting to you, as President of the Cabinet Council for Reich Defence, as was hitherto customary, Fuehrer-Decrees and Ordinances for countersignature, before their ratification by the Fuehrer. Naturally, I will endeavour, before I submit a Decree or Ordinance to the Fuehrer for ratification, to give you the opportunity of stating your viewpoint, if time in any way permits.

I remain, honoured Reichsmarschall,

Yours respectfully,

Heil Hitler,

signed : Dr. Lammers. (1985 PS)

I herebyt confirm that the document reproduced above is a true copy of the photostat of document 1985 PS.

Nürnberg, 28.2.46.

signed. Dr. Otto Stahmer.

(Dr.Otto Stahmer)
Attorney and Notary.

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Goering's letter

to Rosenberg

(undated)

(From the Document Series 1905-PS

submitted by the Prosecution)

H0669-0008

Exh. Goering No. 29

Copy of the letter from

Goering to Rosenberg of (no date)

Dear Party Comrade Rosenberg!

Please accept my heartfelt thanks for your letter and above all for the wonderful book "German Greatness." I have already heard much and read a good deal about the exposition. I hardly need to assure you how extremely I, for my part, welcome an exposition. It goes quite without saying that I shall avail myself of the first opportunity to visit it.

With reference to the confiscated cultural objects in France I should like to inform you beiefly of the following. After all this indecision I especially welcome the fact that an agency for the collection of these objects was finally appointed, although I must point out that other offices, too, use the authority of the Fuehrer, thus, above all, the Reich Foreign Minister, who sent a circular letter to all offices as early as several months ago, in which, i.a. he has authority for the occupied territory and made it known that the safeguarding of cultural objects was assigned to him.

In addition, I believe, the Reich Propaganda Minister is authorized to make disposition of the documents relating to those cultural objects which were at one time stolen from Germany and are now to be returned. But this concerns itself chiefly with things which are in the possession of enemy museums.

I promised to support the work of your men energetically and to place at your disposal that which you did not have access to until now, namely means of transport and guard personnel, and the Luftwaffe is directed to provide the greatest possible assistance in this respect.

In addition to this I should like to point out to you that I was able to withdraw from their hiding places particularly valuable cultural objects in the possession of Jews, since a long time ago I had already located hiding places which were very hard to find, by the employment of bribe omney and the engaging of French detectives and police officials. This activity is being continued, as is also the activity of my offices for the disposition of foreign exhhange in connection with the inspection of bank safety deposit boxes. In both cases the results are reported to your active staff, whose task is then to lay hands on these items and bring them here. I consider the cooperation, as it is being managed at present between your active staff and the offices of Herr Thurner in Paris, as exemplary and particularly suited to the task.

In order that a false conseption should not now arise with reference to the articles which I have wanted to lay claim to for myself and which I have partly acquired and partly wish to acquire by purchase, I want to inform you of the following.

1) I now possess, through purchase, gifts, bequests, and trading, perhaps the most important private collection at least in Germany, if not in Europe. Here, above all, are concerned such works which I include in the category of early-Nordic master, i.e. the early German, the early Dutch and Flemish, the works from the French Gothic, including pictures as well as sculptures.

2) A very extensive and highly valuable collection of Dutch work from the 17th century.

3) A relatively small but very good collection of French works from the 18th Century.

and finally a collection of Italiam masters

This whole collection is to be housed fittingly in Karinhall and at some future date will pass into the possession of the State as my legacy with the condition that the gallery in Karinhall is to be preserved intact.

T The Fuehrer has welcomed my plan just as warmly as he

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supports it.

To complete this collection I have now considered purchasing a few small items which are also from confiscated Jewish cultural property. It is primarily a question of masters of whom I have up to now possessed no works, or such as were necessary to complete a collection. I consult the Fuehrer from time to time in these matters. The purchase takes place in a manner whereby the objects are examined by a French expert, the president (I do not recall his name at the moment) appointed by the government. The purchase price is turned over to the trustee whom the German nation has appointed. There will be more to mention and speak about later concerning the use made of this as well as other sums which enter into the trustee fund. In view of the hundreds and thousands of pictures this is a quite modest percentage. Up to now about 15 - 20 pictures are involved. Incidentally I consider this percentage already justified because it can be proven that a very large part of the art objects were brought out of their hiding places through my own efforts. The Fuehrer has, of course, reserved for himself the right of disposing of the most valuable portion of the collections. But over and above this there then remains an exceptionally large number of objects, which will probably run into the thousands, which can be used to embellish Party and National trophies, as well as to fill up museums.

So much in brief for your personal enlightenment, in order that no false conceptions can arise.

As concerns your letter to Prof. Speer I can only enter into your idea most cordially and completely. I was particularly pleased by the lines which you dedicated to Germanism on the stage (Theater-Germanentum). Here my efforts coincide one hundred percent with yours. I should be indebted to you if, at our next meeting, we could consider the means which can lead to a quick and decisive success in this respect. It is sometimes a downright cause for shuddering when one sees these

German actors

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blundering avound in the wonderful Wagnerian operas. But also everything else which you write in this letter lies wholly and completely along the lines which I advocate.

I shall welcome the opportunity to see you again soon.

At present the Fuehrer has given me a recuperative furlough of several weeks' duration, which I urgently needed, as for the first time, I found myself at the end of my strength. I first went to my hunting lodge in Rominten, in order to be able for once to enjoy my recovery entirely removed from all worries. On or about the 18th of December I shall be in Berlin for a few days, and I shall not fail to inquire in good time at your office when a time for a conference will suit you.

Thanking you again for the book, I am, with

Heil Hitler

yours

(1985 PS)

I hereby certify that the document quoted above is an exact duplicate of the photostatic copy of the document 1985 PS.

Nuernberg, 28 February, 1946

signed: Dr. O. Stahmer

(Dr. O. Stahmer)

Attorney and Notary

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Exhibit Goering No.30

Letter from Frau

Irmortelle Runnebaum

née v. Lorne v.St.Luge

to

Dr. Stahmer dated 22.2.46.

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Exhibit Goering No. 30

Letter from

Frau Immortelle Runnebaum née v. Lorne v.St.Auge

to Dr. Stahmer dated 22.2.46.

I hear tonight on the wireless that in the course of the defence of your client Goering, proof is to be furnished that he helped many persons arrested by the Gestapo to freedom.

My husband was arrested in Berlin in 1934. It was due entirely to Goering's support and that of his Adjutant Bodenschatz that my husband was released (after 3 months).

Yours faithfully

sgd. Immortelle Runnebaum
née v. Lorne v.St.Auge

I hereby testify that the document reproduced above is a true copy of the letter sent by Frau Immortelle Runnebaum to Dr. Stahmer.

Nürnberg, 28.2.46.

sgd. Dr. O. Stahmer

(Dr. O.Stahmer)
Attorney and Notary.

Exhibit Goering No. 31

- -

Excerpt from

Document Part II No. 122 of the Foreign Office White Paper concerning Bolshevik crimes against laws of Warfare and Humanity Berlin 1941 page 301

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Exh. Goering No. 31

Excerpt from Document Part II No. 122 of the White Book of the Foreign Office on Bolshevist Crimes against the Laws of Warfare and Humanity Berlin 1941. Page 301

The combat report of a Russian divisional staff of 13 July 1941 states briefly: "The enemy left 400 dead on the battlefield. About 80 men gave themselves up as prisoners, who were shot." (No. 122)
(Page 101)

No. 122

T e l e g r a m

The Representative of the Foreign Office
with the Supreme Command of the Army

12 August 1941

To the Foreign Office

In the captured operations report No. 11 of the 13th of last month, 10 o'clock, of the staff of the 26th Division, 1 kilometer West of Slastjena, in the forest north of Opuschka, it states: "The enemy left about 400 dead behind on the battlefield; about 80 men had surrendered, who were shot." Signed, the Chief of the Staff of the 26th Armored Division, Lieutenant - Colonel Kimber, the commander of the 1st Battalion Major Chrapko.

Signed Von Etzdorf
Captain

Enclosure

Operations Report No. 11, 13 July 1941, 10 o'clock, Staff of the 26th Division, Northern edge of the forest, 1 kilometer west of Slastjena, map 50 000.

(Translation from the Russian)

1. During the period from 7 to 9 July 1941 the enemy finished the the encirclement of the division with an opening in the Chonowo-Ugolje sector.

2. It was established as a battle result of the reconnaissance patrols that the enemy has remained passive before the front of the division on the Dutj river during the period from 7 to 9 July 1941

-10-

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and that he cut off the evacuation routes to Chonowo-Ugolje by a trust into the flanks.

On 9 July 1941, at 2 o'clock, a strong force (Abteilung) was sent out with the order to destroy the enemy reconnaissance patrols in the Chonowo sector. In the thrust out of Chonowo the force encountered rifle and machine gun fire from prepared positions in the sector near the edges of the forest northeast of Chonowo. A battle developed which had the following result:

On our side two Red Army soldiers and the Commander of the anti tank battery wounded.

On the enemy's side one machine gun car and about three light machine gunsdestroyed.

Up to the beginning of darkness the enemy stubbornly defended the defense sector.

On 9 July 1941, at 4 o'clock, a movement of the SS division to the northeast in the direction of Chonowo-Wenderosh was revealed by our reconnaissance. Mines were laid by a reconnaissance patrol on the route of the SS division, which blew up 3 tanks of the enemy. At the same time the advance of the motorized infantry and of the tanks of the enemy to the northeast was determined by an infantry reconnaissance patrol operating in the sector in the direction of Chonowo-Ugolje.

At 7.30 PM it was established by reconnaissance that the enemy had cut off the evacuation routes of the division, mainly by occupying the points of Ugolje, Perwomajskij, Chonowo-Kotzne and Bakatowka.

At 7 PM an order arrived from Corps Headquarters for the division to move into a new defense sector on the Guslischtsche-Saltanowka line.

Carrying out the corps order, the division started at 11.30 PM to march in the direction of Staraja Ljada, Bokatowka, Kurgan, Domaschkowka, Saboloth, Shabin, Guslischtsche.

On 10 July 1941, at 3.45 o'clock, the divisional staff, which was marching under the protection of the 51st Panzer Regiment, was suddenly shot a near the village of Kurgan by enemy rifle, machine gun, and mortar fire.

The enemy had moved in time into the prepared position on the eastern edge of the forest, 1 kilometer west of Kurgan.

It was established by reconnaissance patrols which were sent out that the enemy had moved into a defensive position on the eastern edge of the forest, 1 kilometer west of Kurgan-Nisowka, in a maximum strength of one infantry battalion with artillery and mortars.

At 5 o'clock the 52nd Panzer Regiment and the Motorized Infantry Regiment started to move up; they had the task of destroying the enemy in the Nisowka sector with a thrust in a southeastern direction in cooperation with the 51st Panzer Regiment, and afterwards to start on the line of march according to the divisional order.

The result of the battle in the Kurgan-Nisowka sector was the destruction of one battalion of the engineer regiment, of a liaison battalion, as well as of other parts of the German division which were moving up, of an engineer regiment and of other small units as well as of rearguards. Two light bombers of the enemy were shot down by anti-aircraft machine guns.

The enemy left about 400 dead behind on the battlefield. About 80 men had surrendered who were shot.

The attack of the 52nd and of the Motorized Infantry Regiment on the flank and in the rear of the enemy struck the latter with complete surprise, so that the other units of the enemy retired in a southwestern direction towards Sabrodje (5 to 7 kilometers Southwest of Kurgan).

Furthermore, the following items were destroyed by artillery fire: 2 tanks, one radio station, about 50 machine gun cars and 30 trucks with engineer equipment. The howitzer artillery in particular proved its value: with its fire it completely silenced the enemy's mortars and his artillery operating in the direction of Kutschin (6 kilometers southwest of Kurgan)

Farther along on its march the division was heavily bombed by the enemy airforce on 10 July 1941 from 9 AM to 4 PM.

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As a result of the fighting and the air attack the division suffered the following losses: dead - 7 men, wounded - 11 men.

3. During the period of 11 - 12 July 1941 the division took over the defence of the sector TULLNOWK. - GOLYNITZ according to plan, and made itself again ready for battle in the little forest east and south of KOTSCHURINO.

On 13 July 1941, at 5 o'clock, units (Abteilungen) of the division took over the defence sector on the CHOROSCHKI, KLEIN - RUSCHKOWO line, according to the enclosed map.

Commander of the Staff
of the 26th Armored Division

KIMBER, Lieutenant-Colonel.

Commander of the 1st Battalion

CHLEPKO, Major.

(Pages 301-303)

I hereby certify that the document reproduced above is a true copy from the document part II number 122 of the Foreign Office White Paper.

Nuremberg, 28 February 1946.

(signed) Dr. O. STAHMER

(Dr. O. Stahmer)

Attorney and Notary.

Exhibit Goering No. 32

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Excerpt from

Document Part II No. 27 of the

Foreign Office White Paper of

1941 concerning Bolshevik crimes

against laws of Warfare and

Humanity

Berlin 1941, page 153.

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Extract from Document Part II No. 27

of the White Paper of the Foreign Office of 1941 on

Bolshevist crimes against the Laws of Warfare and against

humanity. Berlin 1941.

According to a report on the removal of German prisoners, they had to put up their arms, the Russians tore their clothes off their bodies, down to their shirts and underpants and subjected them to blows and knocks, particularly with rifle-butts. Then the prisoners had to march in front of the Russians in shirt and underpants, barefoot, for about two hours, with their hands up, on very bad cut up field paths. If they let their arms drop through weariness, they received further blows with rifle barrels, a Lieutenant even received lashings with a whip (Nagaika) by an officer. When villagers wished to hand them water, the Russians prevented them from so doing. (No. 27).

(p. 101)

No. 27

P r o t o c o l

Court Martial
of the Commanding General
and Commander-in-chief of the Territorial Administrative
Command of the Luftwaffe (Luftgau)

Komorowo. 1st July 1941.
near Ostrow Mazowiecka.

Secret.

Present:

Court Martial Counsel Fessel as Judge

R. A. Schroeter as clerk of the court.

Upon request of the service inspection Judge of the Court Martial of the Commanding General of the....Flying Corps, the undersigned attended at the reserve military hospital Komorowo and declared in the presence of

1. The Supreme Court Martial Counsel (Oberkriegsgerichtsrat) of the Air Force, Schroeder, 2nd Air Fleet Command.

2. The Court Martial Counsel G.B.D. Schaefer, RIM-ZAR, Sergeant Kownatzki of the staff echelon of the 2nd bomber formation, as follows:

I. Personal details: My name is Kornatzki, Hans, Sergeant, bomber formation.....staff echelon; born 5.1.1917, at Koenigsberg/Pr.

II. Evidence: On 22.6.1941, I took off with my colleagues, pilot: Sergeant-Major S., Observer: Lieutenant P. and Flight Engineer: Corporal S. with the Dornier 17. Towards 4.15, about 24 km. south east of Lomza in the neighborhood of Zambrow, after having shot down three enemy fighters, we were shot down by a Russian fighter plane.....

We hid in a big maize field, were, however, discovered somewhere between 7 and 8 o'clock, as the Russians thoroughly combed this field. When we were discovered by one of the Russian soldiers, the latter immediately warned his comrades by shots, and they came down upon us from all sides. They ordered us to get up. We had to put up our arms; the Russians tore our clothes off our bodies down to our shirts and undergarments, thereupon they expressed their great joy at having captured a German officer. On this occasion we received blows and knocks, especially with rifle butts. We had to keep our arms up the whole time; as soon as we let them drop somewhat through tiredness, we were immediately pushed and beaten again. On this occasion all our belongings were taken away from us. They took away from me my purse containing about 2 to 3 Marks, a gold engagement ring, a gold wristwatch, a fountain-pen, a silver lighter. Lieutenant P. had his pocketbook taken with papers, purse containing two signet-rings, a silver wrist watch and identity disc. At first there were no Russian officers present. Only after about 5 minutes about four or five officers came, who bore on their red tabs one or two stars and on the left fore-arm two or three big chevrons.

H0669-0021

We then had to face about and just as we were, in shirts and underpants, barefoot, were forced to proceed for about two hours with our hands up, in front of the Russians, on very bad, cut up field paths. I went in front, behind me followed Lieutenant P. If we let our arms drop through tiredness we received blows with rifle barrels. Lieutenant P. received lashes with a whip (Nagaika) by an officer. This officer was quite a young man, 20 to 21 years of age. He was obviously a Lieutenant. As rank insignia he wore a star on the red tab.

..... We walked in an easterly direction along this road still barefoot and with our hands raised, until about 7 p.m. On the way we received nothing to eat or drink. If, when marching through Polish villages, the local inhabitants wished to hand us water, the Russians prevented them from so doing. Only once did we receive from a Russian soldier a steel helmet full of dirty, brackish water from a puddle, which we, however, drank as we were suffering greatly from thirst. On the one long halt which lasted about half an hour, it was about 4 p.m., a Russian officer approached us, and addressed us in German - in our opinion he was a medical officer, he was also addressed by the soldiers as "Doctor". He wished to bandage us, particularly the eyebrow wound of Lieutenant P. which was still bleeding heavily. When he set about doing this, he was roared at a higher Russian officer in Russian, thereupon he left us standing and disappeared. I cannot say what was the rank of the senior officer, I assume that he had at least the rank of Major; possibly also he was a political commissar.

.....Towards 9 p.m. we heard rifle shots and shortly afterwards a heavier projectile, perhaps from a mortar, buried itself in the ground near us. Then Lieutenant P. called out "Kommandir, the Germans are coming!"

H0669-0022

Exhibit Goering No. 32

We threw ourselves to the ground in the potato furrows. I pressed myself to the ground in order not to be hit by the shell splinters. Here I saw how one of the two mounted sentries - the other ran away at the first shot - took him with his carbine and fired on us. I was shot in the upper part of the leg, whereby it was shattered, and immediately thereafter my right upper arm was grazed by a shot. I still called out: "Lieutenant, I have been hit!", but received no answer, because Lieutenant P., as was proved later, had been fatally hit by a shot in the back. The Russian sentry thereupon likewise ran away.

(pp. 153 -156).

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I hereby certify that the document reproduced above is a true copy from Document Part II No. 27 of the White Paper of the Foreign Office.

Nuremberg, 1st March 1946

signed Dr. O. Stahmer

(Dr. O. Stahmer)

Attorney and Notary.

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Exhibit Goering No. 33

Excerpt from

Document Part II No. 23 of the White Paper of the German Foreign Office of 1941, concerning

Bolshevist crimes against the laws of war and humanity, Berlin 1941 p. 153

H0669 - 0024

Excerpt from

Document Part II, Nr. 23, of the 1941 White Paper of the German Foreign Office of 1941, concerning Bolshevist Crimes against the Laws of War and Humanity.

Berlin 1941

Twenty German prisoners were shackled, lined up together, and shot down with rifles and sub-machine guns (No. 23)

(p. 102)

.....

West of Beronike no fewer than 153 German soldiers, who had been taken prisoner, were found shot to death, most of them in an unclothed condition. (No. 23)

(p. 102)

No. 23

T r a n s c r i p t

In the field, 1 July 1941

Court of the .....Infantry Division (Mechanized)

Present:

1. Judge Advocate (Kriegsgerichtsrat) Dr. Heinrich, as judge
2. Corporal (Obergefreiter) Doess as Recorder.

Private Kurt Schaefer, rifleman in the 7th Company, ...th Infantry Regiment (Mechanized), is present. After having been informed of the subject of the proceedings, and having been warned about the significance of the oath, he states:

As for my personal data: my name is Kurt Schaefer, born 3 May 1920 at Daegerschlag. I have been a soldier only since 3 October 1940.

As for the subject matter: When retreating from Klewan to Broniki we were taken prisoner by superior Russian forces, who had turned our flank. We were driven into the street from all sides. I noticed that my comrades took off

H0669 - 0025

their belts. I wanted to take mine off too, but it caught in the rear buckle. A Russian immediately approached me and tore it off. We then had to take off our coats, shirts, boots and socks. The Russians ordered us to do that by gestures. As far as I know, none of them spoke German. They were mainly young people.

H0669 - 0026

Those who did not immediately take off their shirts were roughly mistreated. I saw, for example, how one was struck in the ribs with a rifle butt. Others were stabbed. It is true that I did not see that myself, but I later saw the bleeding wounds. I saw how a Russian hit a wounded soldier, lying on the ground, over the head with the butt of his rifle. One was always seeing a Russian close to a wounded soldier. The latter were screaming. We were now herded into the field, and then the hands of twenty men were tied behind their backs. Why this happened, I don't know. They were then shot down with rifles, pistols and sub-machine guns. At the same time other Russians standing near us began to shoot at us, who were standing away from the 20 whose hands had been tied behind their backs. While the first ones were falling, I made a jump between two Russians in the direction of the corn field 3 meters away and fled through it. A number of other comrades also ran away. Shots were fired after us. I did not meet any more Russains on the way. After 6 kms. we found men of the motorcycle rifle battalion.

Read, approved and signed

(sgd) Kurt Schaefer

(Sgd) Dr. Heinrich. (Sgd) Doess

witness was sworn in as provided by law.

(p. 143)

I hereby certify that the document reproduced above is a literal copy of Document Part II Nr. 23 of the White Paper issued by the German Foreign Office.

Nurnberg, 1 March 1946 (Sgd) Dr. Otto Stahmer

(Dr. Otto Stahmer)

Attorney and [illegible]

H0669-0027

- -

Excerpt from

Document Part II No. 27, of the Foreign Office White Paper of 1941 concerning Bolshevik crimes against laws of Warfare and Humanity,

Berlin 1941, page 114

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H0669 - 0029

Exhibit Goering No. 34

Extract from

Document Part II. No.7 of the 1941 Foreign Office White Paper

concerning

Bolshevist crimes against the laws of warfare and against humanity

Berlin 1941, page 114

The bodies of four German aviators, among them those of two officers, who were taken prisoner after they had landed by parachute, were dug up in a brutally mutilated condition, with feet cut off, deep marks of burning obviously made with a soldering iron. Testicles crushed etc.(No.7)

(page 103)

No. 7

Protocol.

Commanding Officer of
the Maintenance Group
of the .... Tank Division

On Active Service 28th June 1941

To
.....Tank Division

On 27th June 1941, the Maintenance Group took over, as a vehicle assembly point, a piece of ground with courtyard and garden in the Northern part of the town of Luck, about 100 meters distant in a direction left from the market-place.

On making inquiries it appeard that the administrative buildings, garages etc. of the G.P.U. stood on this plot. This was evident from statements made by civilians and from documents found there. The area was closed off at the back by a square network of barbed wire.

About 6 o'clock in the morning, a civilian arrived and tried to explain to the war administration Councillor (Kriegsverwaltungsrat) Marz and war administration Councillor Bruegmann that German officers had been massacred and buried by the men occupying this piece of ground. Civilians immediately started digging at the spot pointed out by the civilians, which was in a small adjoining courtyard on the left.

H0669 - 0030

When a depth of about 1 metre had been reached, the first body was exposed. There were 4 bodies in the grave. It was discovered from the uniforms found there, that the bodies were those of an Oberleutnant, a Leutnant and two airmen. Two of the bodies were naked. Only one of the bodies had any personal papers on it. It appeared from these that the body was that of Fliegerleutnant E.S.,born in 1910 in Passau.

I n t e r r o g a t i o n

Leutnant Schoenfelder , legal official (Gerichtsassessor)

On active service, 28 June 1941

By order of the Maintenance Group, War administration Councillor Bruegmann was interrogated on the subject of the exhumation. He stated as follows : Personal statement : My name is Hans Herbert Bruegmann, I am 41 years old, evangelical, have been in the Armed Forces again since 3rd January 1940. Actual statement : There were no feet on the first body. In my opinion, they had been cut off. I came to this conclusion since the bones of the leg were jutting several centimetres out of the flesh. I found one of the feet still in its shoe. The body showed burns about the size of a 5 mark piece. Another of the bodies showed wedge-shaped burns about 4 centimeters deep on the upper part of the body, - on the breast and on the back. I assumed that they had been made with some pointed object. A soldering iron, which was found later, caused one to suppose that these burns had been inflicted with this.

On a further body, a ring about 6 to 7 centimetres wide could be seen burnt round the left leg above the ankle. The sexual organs were intact, the testicle completely crushed.

The fourth body was quite naked and completely mutilated. One lower part of a leg was missing and it was found later in the grave.

H0669-0031

Exhibit Goering No. 34

A wound the size of a meat plate could be seen on the right side of the stomach. I did not notice any burns on this body.
All the bodies exuded a smell of putrefaction. I am not in the position to make any statement on the time death took place. The bodies were buried at a depth of one metre at the most. The soil was only lightly thrown on top of them.

sgd. Bruegmann

(pages 114 - 116)

I certify that the above document is a true copy of the document part II, No. 7 of the Foreign Office White Paper of 1941.

Nuremberg, 1st March 1946

sgd. Dr.O.Stahmer

(Dr.O.Stahmer)
Attorney and Notary

H0669 - 0032

Exhibit Goering No. 35

Extract from

Document Part II No. 50 of the

Foreign Office White Paper 1941

concerning

Bolshevist Crimes against the Laws of

Warfare and against humanity.

Berlin 1941. P. 185.

H0669 - 0033

Exhibit Goering No. 35.

Extract from

Document Part II No. 50 of the Foreign Office White Paper of 1941
concerning
Bolshevist Crimes against the Laws of Warfare and against Humanity
Berlin 1941.

Near Rozanka five German soldiers were found, who had been taken prisoner by the Russians and had been beaten to death in a barbarous manner (bound with straps), arms broken in two places, wounds from heavy blows, faces completely bashed in, shoulders torn out of their sockets, two of them with their eyes gouged out (No.50)

(page 103)

No. 50

P r o t o c o l

In the field, 5th July 1941

Court of the.....Infantry Division
Those present :
1. Court Martial Counsel (Kriegsgerichtsrat) Pengel
2. Unteroffizier Arnold as clerk of the court.

Unteroffizier Robert Nauck, Interpreter, came forward.

Having been warned to tell the truth and acquainted with the significance of the oath, he stated as follows :

Personal details : My name is Robert Nauck, I was born on 19.3.1897 in Riga, religion evangelical, interpreter.

Evidence : On the morning of 28.6.1941, 3 vehicles of the .... regimental staff were driving ahead of the regiment on the road from Szczuczyn to Mosty via Rozanka. About 7 o'clock, we approached Rozanka and stopped at the cross roads in the place, to find somewhere to rest. A woman of the place came up to us weeping and said that German soldiers, together with Polish nationals, had been murdered by the Bolsheviks and buried nearby ..... An occupant of the house opposite pointed out to us that something must be lying here. When I removed the light layer of soil, there came into view hands tied together behind the back with shoe-laces. After cleaning the soil off the tunic, I was convinced that it was a German soldier.

H0669 - 0034

The women present continued to look for their relations and, by loud shouts, drew our attention to the fact that they had found another place a little distance from the spot, a few metres between the row of trees and a corn field, where, it appeared that more men lay buried. It crossed to the other spot, which had alrady been cleared by the inhabitants. On top, 2 civilians lying face downwards came into view. Underneath lay : 1 German soldier, lying on his back, who could be recognised as an officer by his collar patch, also 3 other German soldiers and two more civilians. Both the civilians lying on top were in a very bad state. I can give no details about these wounds. I took less notice of them as 1 vehicle had already arrived to take away the civilians.

The officer's hands were not bound. His face was badly mutilated, the hands of the 3 soldiers were tied behind their backs with mess gear straps. The upper part of one of the soldiers' bodies was naked. He had a stomach wound bound up with German first aid kit. His back and chest were covered with wounds from heavy blows. Another soldier had one arm broken in two places. One soldier had his shoulder and arm joints in a completely abnormal position and, in spite of this, his hands were bound. One soldier had a deep stab wound in the neck. The wound cannot have been fatal. I did not find any of the usual wounds from shooting, such as shots in the heart or head, I therefore assumed that the soldier had been beaten to death.

At the first spot, which had been cleared in the meantime, 2 civilians had been exposed as well as the one soldier. As well as having his hands tied behind his back, the soldier's face was completely crushed and his shoulder torn out of its socket. When the German soldiers were laid together to be buried, I found that 2 of the 5 soldiers had their eyes gouged out.

On being questioned, the inhabitants of Rozanka told me the following: "Early on 26.6.1941, a battle had taken place in the village between the

H0669 - 0035

Germans and the Russians. When the Russians gave way, the Germans posted an outguard in the place. On the morning of 27.6. large Russian units had come through. The German soldiers had kept quiet at the outguard post, so as not to give themselves away, for battle seemed hopeless. A Jewess from a Red Cross lorry had contacted the Jewish inhabitants of the place. These had given away the situation of the outguard post and the Polish nationals to her. Thereupon, the outguard post had been surprised. The Polish nationals and a Pole who wanted to warn the German soldiers had been arrested. On instructions from the Jewess, the German soldiers and the arrested Poles had then been flayed and beaten to death under the group of trees at the entrance to the village of Rozanka. A Pole from the house opposite had watched this personally."

An inspection of the location of the outguard post showed that a battle could not have taken place there.

read, confirmed, signed and sworn

sgd. Unteroffizier Robert Nauck

sgd. Pengel sgd. Arnold

I certify herewith that the document reproduced above is a true copy from document part II, No.50 of the White Paper of the Foreign Office.

Nuremberg, 1st March 1946.

sgd. Dr.O.Stahmer

(Dr.O.Stahmer)
Attorney and Notary.

H0669-0036

Exhibit Goering No. 36

Extract from

Document Part II No. 20 of the White Paper of the German Foreign Office 1941

concerning

Bolshevist Crimes against the Laws of Warfare and against humanity.

Berlin 1941. P. 133

Exhibit Goering No. 36

Extract from ,

Document Part II No. 20 of the White Paper of the Foreign Office of 1941 concerning Bolshevik Crimes against the Laws of Warfare and against Humanity Berlin 1941, p. 133.

19 German anti-tank and anti-aircraft troops of whom a number had been previously wounded were discovered murdered and horribly mutilated, (eyes gouged out, their own side arms thrust into their backs, skulls shattered, genitals cut off (No. 20) (Page 105)

No. 20

Interrogation

Tribunal of the Security Division Pod-Sobrasl, July 1, 1941
Present:
Court Martial Counsel (Feldkriegsgerichtsrat) Hartwig as Judge
Lance Corporal (Gefreiter) Liesert as Clerk of the Court

During the preliminary proceedings concerning the 19 German anti-tank and anti-aircraft soldiers discovered mutilated and dead in the road from Pod-Sobrasl to Sokolda, the undersigned magistrates went to the cemetery approximately 1 km. to the east of Pod-Sobrasl. This cemetery lies on the road between Pod-Sobrasl and Sokolda, and on the left side of the road in the direction of Sokolda.

Lieut. Otto von Boehn, Infantry Regiment.... Motor Cycle Company was present there. As he could give details regarding the mutilated German soldiers, he was warned to tell the truth and acquainted with the significance of the oath, and interrogated as follows regarding the case.

Personal details: My name is Otto von Boehn, 22 years of age, Protestant, Motor Cycle Company Infantry Regiment...

Evidence: On 22 June 1941 my company was ordered to occupy the heights east of Sobrasl, on both sides of the road. About 1 o'clock we reached the road out of the place, but could not advance further as we lacked artillery support. The Russians outnumbered us considerably. On the orders of the Commander of the advance unit I withdrew my company and formed a strong point on the bridge before Sobrasl. The Russians withered about 2 hours later.

H0669 - 0037

On the road about 2 Km. to the east of Pod-Sobrral lay the burnt out limbers and the destroyed guns of an anti-tank convoy of the 2nd anti-tank company....Furthermore the burnt out [illegible] of the [illegible] anti-aircraft guns of the unit lay here...Some motor cycles also lay here. The [illegible] lay in the ditch on the right. They had obviously been wounded previously, as I saw that they had taken out and opened their first-aid boxes. When I arrived they were all dead and as far as I know all mutilated. Some had their eyes gouged out. Several had their skulls smashed in with rifle-butts. I noticed that several of them had had their own side-arms thrust into their backs, in any case they were still sticking there.

read, confirmed, signed and sworn by

von Brehm.

The witness was testified on oath in accordance with regulations.

sgd: Hurtig Signed: Liesert

2. Interrogation.

Tribunal of the Security Division Bialystok, July 1st 1941.
Present:
Court Martial Counsel Hurtig as Judge
Lance Corporal Liesert as Clerk of the Court.

During the preliminary proceedings concerning the 19 German anti-tank and anti-aircraft soldiers discovered mutilated and dead on the road from Pod-Sobrral to Sokolda, the undersigned magistrates betook themselves to the orderly room of the 9th Infantry Regiment....There the witness Langer was interrogated.

Personal details: My name is Herbert Langer, I am 30 years old, Protestant, Lance Corporal in the 9th Infantry Regiment.....

H0669 – 0038

Evidence:

On the 29 June 1941 I was with the reconnaissance riding party commanded by Lieut. Hildebrandt. As I could go no further on account of my rheumatism, Lieut. Hildebrandt sent me back just before Pod-Sobrasl and sent Corporal Scheen to accompany me. On this occasion I went to the cemetery where the corpses of German soldiers lay together and made a close inspection of corpses. Corporal Scheen was also there. I saw injuries on all the bodies. One soldier was burnt. I could find out nothing about this one. But I think he had had no injuries inflicted on him. In the case of one soldier I found that the skull was completely shattered. The brain lay apart from the skull. He had no eyes. I cannot say if the eyes had been gouged out, the skull was so shattered that nothing could be discovered in this regard. I saw in the case of other soldiers that the trousers had been completely torn open and the genitals were missing. Everything was covered with blood and scabs where the genitals should have been. Therefore it was impossible to see whether the genitals had been cut or torn off. The body lay on its back, the legs stretched. There were many stabs in the belly of a third soldier. I am of the opinion that they were stabs, as the wounds were comparatively large. They were not smooth wounds. I assume that they had been made with a blunt object which had then been turned round in the wound. In any case they were not smooth stabs. I do not think that they were gunshot wounds. In the case of this soldier the shirt was open in the front. It was torn in pieces and covered with blood.

read, confirmed, signed

Herbert Langer

The witness gave his evidence on oath in accordance with regulations.

Signed: Hartwig Signed: Liesert.

I hereby certify that the document reproduced above is an exact copy from Document Part II, No. 20 of the Foreign Office White Paper.

Nuremberg, 1 March 1946

Signed: Dr. O. Stahmer

(Dr. O. Stahmer)

Attorney and Notary.

H0669 - 0039

H0669 - 0040

Exhibit Goering No.37.

Extract from

Document Part.II No. 70 of the White Paper of the German Foreign Office 1941, concerning

Bolshevist Crimes against the Laws of Warfare and against humanity, Berlin 1941,

P. 227

Exhibit Goering No. 37

Extract from

Document Part II No. 70 of the Foreign Office White Paper of 1941

concerning

Bolshevist crimes against laws of warfare and against humanity

Berlin 1941 p. [illegible] 227.

German prisoners were tied together in groups of four, then hand grenades were attached to them and exploded (No. 70).

No. 70

P r o t o c o l

Court of the....Infantry Division (mechanized), Division Headquarters, 12th July 1941.

Present:

1. Court-martial Counsel (Kriegsgerichtsrat) Dr. Heinrich, as Judge
2. Senior Lance Corporal (Obergefreiter) Doose, as clerk of the court.

Lieutenant Kroening, Headquarters 2nd Infantry Regiment...(mechanized) comes forward and states, after he had been acquainted with the object of the hearing and the significance of the oath:

Personal details: Franz Kroening, 26 years old, Catholic, Lieutenant of the 2nd Infantry Regiment (mechanized).

Evidence: I saw all the dead of the 2nd Battalion for purpose of identifying them. I established the following concerning particular cruelties and mutilations and confirmed them on oath:

About six soldiers had limbs, such as an arm or a leg, the head or half the head, knocked off with sharp objects. Many, the exact number I have not ascertained, had been killed with rifle-butts.

12 to 14 soldiers had their genital organs cut off.

The worst mutilations were found among a group of about 12 corpses, which had not been found on the first inspection as they were still lying about 200 metres further away from the street. Here there were 3 officers, 2 sergeant-majors the rest corporals and a particularly strong and big body of men. They were all chained, and sometimes they were tied together in groups of 3 to 4 men. The exception[illegible] great rifle-scale mutilation made it evident that some kind of explosive had been used.

[illegible]

H0669 - 0041

In the immediate vicinity of the corpses were found firing lanyards of German hand grenades. There was still evidence of remnants of cords on their arms or on their remains. From this one concludes that sometimes three to four were first bound together, hand grenades tied to their bound arms and then ignited. It is to be assumed that this was carried out on still living prisoners, as it can hardly be thought that the Russians did this to corpses. Moreover the corpses showed bayonet wounds in every possible part of the body. The dead still had their trousers on.

One of the dead, a Sergeant-Major, showed an open wound, about 2 cm. deep, about the size of the palm of a hand, in the region of the heart, in the clearly recognizable sharp-edged shape of a five pointed star. I assume that the Sergeant-Major's star-shaped wound had been caused by branding.

read and signed: Kroening.

The witness was formally sworn in.

signed: Dr. Heinrich. signed: Doess

- -

I hereby certify that the document reproduced above is a true copy from document Part II, No. 70 of the White Paper of the Foreign Office.

Nuremberg, 1st March 1946.

Signed: Dr. O. Stahmer

(Dr. O. Stahmer)

Attorney and Notary.

H0669 - 0042

Defts. Ex. No. 4
Filed March 22, 1946

Exhibit Goering No. 38

Affidavit of

Dr. U i b e r r e i t h e r

of 27. February 1946

H0669 - 0043

Exhibit Goering Nr. 38

Nurnberg, 27 February 1946

I, the undersigned, Dr. jur. Siegfried Uiberreither, at present in Nurnberg Remand Prison, hereby state on oath, and in accordance with the truth, after having been instructed about the significance of a sworn statement, and after having been informed that this statement will be submitted to the International Military Tribunal in Nurnberg:

I.

On 25 May 1938 - that is, after the plebiscite concerning the reunion of Austria with Germany, which had taken place on 10 April 1938 - I was appointed Gauleiter of the Styrian Region (Gau Steiermark).

A few weeks later - it may have been towards the end of June or the beginning of July 1938 - former Field Marshal Hermann Goering called together all Gauleiters of the German Reich at Karinhall.

He then delivered a fairly long address to the Gauleiters, describing the political situation as it presented itself at the time, and discussing in detail the aim and significance of the Four Year Plan.

Field Marshal Goering first pointed out that foreigners were not very sympathetic towards political developments in Germany, and that because of this there was the danger of Germany being encircled. Directing German foreign policy was therefore a difficult task. For that reason we had to endeavor to strengthen Germany from the economic and military point of view, thus reducing the danger that Germany might be attacked by a foreign power. At the same time this would result in Germany again exercising an increasingly important influence in European politics, after she had again become strong.

After that, Field Marshal Goering discussed the Four Year Plan; in this connection he remarked:

By and large, Germany was cut off from the raw material sources of the world. She therefore had to open up her own raw material sources in her own territory by dint of increased efficiency. But the only reason for that was to make Germany independent of foreign countries, and was not by any means the preliminary to aggressive war.

He then stressed, with great emphasis, that Germany's foreign policy would have to be conducted in such a way that there could not be a war under any circumstances. The present generation was still feeling the effects of a lost World War; the outbreak of war would stagger the German people. Furthermore, it was his opinion that a new war would spread widely, and even the outcome of a war against France alone would be questionable.

In conclusion, he summarized his address by saying that we had to do our utmost to make the Four Yaer Plan a success, and that all hardships brought on the people by it would have to be borne, and were justified, becuase success could prevent war.

H0669-0044

H0669-0045

I should like to mention that I remember all details of this lecture so accurately because it was the first time that I had been informed of these conditions, which were so important for Germany, by a leading personality, and because, therefore, up until the beginning of the war I did not believe that war would come about.

II.

A few weeks after the proceedings against the Jews in the night of 9 to 10 November 1938 - toward the end of November or the beginning of December 1938 - Field Marshal Goering again called all Gauleiters to Berlin.

He criticized this action in harsh words during this meeting and stated that it had not been in keeping with the dignity of the nation. Furthermore, it had also heavily damaged our prestige abroad. If one interpreted the murder of Councillor of Legation von Rath as an attack of Jewry against the Reich, then the German Reich had ways of countering such an attack that did not include appealing to the basest instincts. In an orderly State no irregular mob action could be tolerated under any circumstances. He further stated that the majority of the Gauleiters could not be held responsible for the incidents, because they had not been in their Gaus during that critical night.

In conclusion he asked the Gauleiters to use their entire influence to see to it that such incidents, which injured Germany, would not recur in future.

III.

There never was a concentration camp in my Gau. Austria's only concentration camp was in Mauthausen, in Gau Oberdonau.

In 1942 I visited this camp, together with Gauleiter Eigruber of Oberdonau. I made this visit because Eigruber had informed me that there were supposed to be inmates from my Styrian Gau there. I wanted to convince myself personally how these people were taken care of.

I did not notice anything striking in the course of that inspection. I did not observe any crematory ovens, and did not notice anything else either which could have given rise to the suspicion that crimes against humanity were being committed there. I even talked to inmates from my Gau there, but they did not make any incriminating statements either.

Some time after this visit I received a letter from an older Party Member, who had been drafted into the Protective Police (Schutzpolizei) and assigned to Poland. In this letter he asked for honorable discharge from the Party, because he had experienced things in Poland which, in his eyes, made continued membership in the Party impossible.

Since I could not obtain more detailed reasons from him, and since he declined all additional information with the remark that they had been sworn to secrecy on penalty of death, but since, on the other hand, the man was known to us as reliable and credible, I approached Himmler directly. In the course of a personal interview, Himmler replied to my question whether things were happening in Poland which could justify the man in resigning, by saying that nothing was happening there for which he could not assume responsibility.

H0669-0046

To reassure me, he further showed me various scrap-books containing photos of newly-established ghettoes, said to have self-administration with their own police, and which made a very good impression on me. Himmler pointed out some photos showing well-equipped work rooms and added that Jews were thereby being employed in useful pursuits. He stated that all rumors to the contrary were false, and that most of it could be traced back to enemy broadcasts. Himmler roundly denied that any atrocities occured there.

I myself heard only as a prisoner that Himmler's statements were untrue, and that he deliberately misinformed the Gauleiters.

I am ready at any time to swear that the above statements are the truth.

(sigd) Dr. Uiberreither

I hereby certify that the document reproduced above is a literal copy of the sworn statement made by Dr. Uiberreither on 27 February 1946.

Nurnberg, 2 March 1946

(sgd) Dr. O. Stahmer

(Dr. O. Stahmer)

Attorney and Notary

H0669 - 0047

Exhibit Goering Number 39

Excerpt from the book

"Hermann Goering"
by Erich Gritzbach,

16th Edition, Munich 1938
Pages 263, 264

Excerpts from this book have already been presented by the Prosecution under Number 3252 PS/= USA 424.

Exh. Goering Number 39

Excerpt from

HERMANN GOERING, the Man and his Work
(HERMANN GOERING, Werk und Mensch)
by Erich Gritzbach, 14th-16th edition, 1938
Franz Eher Publication Munich
Document 3252 PS// USA-Evidence 424

Page 263/264

To them, to his war comrades on this and on the other side of the borders, he (Goering) turns with fiery words in February 1937 at the International War Veterans Meeting in Berlin:

"There are no better defenders of peace than the old war veterans. I am convinced that they, above all others, have a right to ask for peace and to shape it. I recognize that those men who, weapon in hand have gone through four hard years of the hell of the World War have the primary right to shape the life of the nations, and I know that the war veterans more than anybody else will take care to preserve the blessings of peace for their peoples. It is often said that it is the soldiers themselves who are the leading representatives of a war party. I believe, my comrades, that those who rattle the sabre most are those who have never wielded it. Those who do not know the horrors of war may talk about a joyous war. But we know that it is a terrible thing, this final argument among nations. It is my fervent and heart-felt wish that this Congress may be able to contribute toward finding the basis for a true peace with honor and equality of rights for all sides. You, my comrades, will have to smooth the way for it."

I certify that the above document is a true copy from the book "Hermann Goering, Werk und Mensch", by Erich Gritzbach.

Nurnberg, 2 March 1946

(typed) signed Dr. O. Stahmer
(Dr. O. Stahmer)
Lawyer and Notary Public.

H0669 - 0048

Exhibit Goering No. 40

Def. Exhibit No. 1
Filed March 23, 1946

From the book by

Winston Churchill,

"Step by Step - 1936-1939-

Appleton 1940. pages 9, 35, 86.

H0669 - 0049

Exhibit Goering No. 40 Defts. # 1 filed March 22, 1946

From the book by Winston Churchill: "Step by Step 1936-1939"

Preface

Page 9:

On 18 June the Anglo-German Naval Agreement was signed, which released Germany from the Versailles Naval restrictions. That meant in effect condonation of the breach of the military clauses.

The organization of our war needs - 29 May 1936

Page 35:

The Air Force is in the process of being almost trebled. This is a colossal expansion which is making the most prodigious demands on our production potentialities. But quite apart from these immediate needs there is the far greater task of so organizing England's home industries that they will be ready to direct the whole of their enormous and elastic capacity into the channels of war production as soon as a serious necessity for that should ar

In Mediterranean waters - 13 November 1936

Page 86:

But it is no longer thus. England has begun to rearm on a large scale. Her wealth and her credit, the solidarity of her organization, her vast resources and connections, all contribute to this revival. The British fleet is still by far the mightiest in Europe. Enormous yearly expenditure on it i under consideration for the future.

- -

I certify herewith that the document reproduced above is a true copy from th book: Winston Churchill "Step by Step".

Nuremberg, 5th March 1946.

(signed) Dr. O. Stahmer

(Dr. O. Stahmer)

Attorney and Notary.

H0669 - 0050

H0669-0051

Exhibit Goering No. 41

Read March 22, 1944

From the book by

Winston Churchill:

"Step by Step 1936-1939"

Amsterdam 1940, pages 186, 187, 323

Defense Exhibit No. 1

Exhibit Goering No. 41

From the book by Winston Churchill: "Step by Step 1936 - 1939"

Friendship with Germany - 17 September 1937

Page 187 :

One can condemn Herr Hitler's system and still marvel at its patriotic achievement. Should our country be defeated I could only desire that we would find an equally indomitable champion who would give us our courage again and would lead us back to the place which is rightfully ours among the nations.

France to Munich - 4 October 1938

Page 323:

It is a crime to despair. We must learn to find in misfortune the source of future strength. Our leadership must have at least a particle of the spirit of that German corporal who, when everything around him had fallen in ruins, when Germany appeared to have sunk into chaos for all time, did not hesitate to march against the powerful battle lines of the victorious nations and has already beaten them so decisively . The hour does not call for despair but for courage and the will to rebuild, and that is the spirit which should dominate us.

I hereby certify that the passage quoted above is a literal transcript from the book by Winston Churchill "Step by Step."

Nurnberg, 5 March 1946.

signed: Dr. O. Stahmer

(Dr. O. Stahmer)

Attorney and Notary

H0669-0053

Exhibit Goering No. 42.

Extract from :

Foreign Office 1943 No.8.

Documents concerning England's sole guilt in the bombing war against the Civilian population.

(Berlin 1943)

H0669-0054

Exhibit Goering No. 42

From:

Foreign Office 1943 No. 8 Documents concerning England's sole guilt in the bombing war against the civilian population

No. 60

Report on the meeting of the Supreme Council in London 17th November 1939

(Extract)

The British Air Force General Staff has drawn up a plan for the use of its long range bombers in the destruction of the Ruhr area.....

(pages 104/105)

....

A corps of exceptionally courageous airmen has been trained especially for this bombing. Each one knows, even now, which target he will be detailed to reach and how he can identify it.

According to the plan, the heavy bombers would fly very low over Belgium and fly over the Ruhr at top speed at chimney-top height. They would be split up into small groups, every machine of which would aim expressly for its appointed target and endeavour to reach it. (page 106)

If the first days should show that the operation was not possible, that the targets fixed could not be reached and that the losses were heavier than had been expected, it would, however, be impossible to continue it. One of the reasons, however, why Chamberlain would be unwilling to discontinue the operation is that, by this means, attacks on open towns would be commenced. Naturally the main object is to destroy military targets, these, however, are so situated that it is impossible to hit them without inflicting casualties on civilians. So one thing would lead to another until the waging of a war with no restrictions would be practically inevitable.

H0669-0055

Exhibit Goering No. 42

If one rules out all other considerations such as moral ones, it is certain that France and Great Britain are not so well protected against air attacks as they would like to be. The factories and industrial centres of the Allies are vulnerable and there is no doubt that the Germans would carry out reprisals immediately. The Prime Minister wishes to avoid them. The effect on aircraft and munitions production etc. of German bombing carried out by way of reprisals would certainly be considerable. Were the Germans themselves to start attacking certain British industrial centres from the air, one would not need to hesitate in the slightest to pay them back in the same coin; it is, however, somewhat different to begin this kind of war oneself.

(page 107)

Therefore, the Premier (Daladier) would very much prefer to let the Germans take the initiative and the responsibility of having been the first to start the bombing of industrial areas, so that they are the first to attack towns and factories, to kill women and children. If they take this initiative, it would be as difficult as unjust to make the slightest protest against the British Government's plan. The French Government would not only be in complete agreement, but would also attempt to work together with the British as far as the means at the disposal of the French Air Force would allow. Daladier, however, repeated that, at the moment it must be left to the Germans to take the initiative and that it would be dangerous and disadvantageous to the Allied cause to carry out a bombing of the Ruhr area ....

(page 109)

I certify that the above quotation is a true copy from "Documents concerning England's sole guilt in the bombing war against the civilian population".

Nuremberg, 5th March 1946

sgd. Dr.O.Stahmer

(Dr.O.Stahmer)
Attorney and Notary.

H0669-0056

Exhibit Goering No. 43

- -

From :

Foreign Office 1943 No. 8
"Documents concerning England's sole guilt in the bombing war against the Civilian population (Berlin 1943)

- -

H0669-0057

Exhibit Goering No. 43

From the

Foreign Office 1943 No. 8. "Documents concerning England's sole guilt in the bombing war against the civilian population.

No. 32

Notes regarding the conferences between the British and French General Staffs, 3 April 1939

(Extract)

A.F.C. (J) 28
Secret

Richmond Terrace, S.W. 1
3 April 1939

Final deductions regarding the general strategy for the conduct of w

III. Courses which Germany and Italy can take at the outbreak of war.

10. The aim of the main opening offensive by Germany can be the defeat of either France or England.

.....

IV. British and French Countermeasures

.....

Methods of warfare

28. In the preliminary phase of the war, allied countermeasures in the air will be determined principally by security considerations. The Allies will introduce air attacks exclusively against purely "military" objectiv in the narrowest sense of the word, i.e. naval, military and air forces and installations; nevertheless these operations will be limited as far a possible to targets, attack on which will not involve the death of civilia

V. The subsequent phases of the war.

1. Phase .....

30. The operations which we shall have to conduct during the preliminary phases are described in Part IV above.

2. Phase .....

.....

34. During this phase Allied bombers will whereever possible, be employe against economic and industrial objects with the aim of assisting the fin collapse of German resistance. (P.62)

H0669-0058

I hereby confirm that the document reproduced above is on exact copy from Documents concerning England's sole guilt in the bombing war against the civilian population.

(signed) Dr. O. Stahmer

(Dr. O. Stahmer)

Attorney and Notary.

Read March 22, 1946

Exhibit Goering No. 44

Extract from the book by

Erich Gritzbach "Hermann Goering"

16th Impression Munich 1938.

P. 36, 37, 38, 39.

WCH 424

H0669-0060

Exhibit Goering No. 44

From
the book, "Hermann Goering" by Erich Gritzbach

As can be seen from the Stettin trial and also from others, Goering took drastic measures against men who acted on their own authority against his instructions. (Page 36)

..... The Ministerpraesident gave an insight into the supervision of political prisoners to hundreds. He did not wait until asked, the offer came from him. (Page 37)

..... On the occasion of the Christmas amnesty of 1933, he ordered the release of nearly 5,000 prisoners from the concentration camps. "Even th must be given a chance." It would have been only too understandable if those released had everywhere found doors and gates closed to them whichever way they turned. That, however, was not in keeping with the spirit of this act of mercy. Nobody was to think himself shut out. Therefore Goering, in a clearly worded decree, ordered that no difficulties were to be placed in the way of those released, by the authorities or the public. If this action was to have any point, all attempts were to be made to receive these people, who had sinned against the state, into the community again as full fellow-Germans. "The work of educating the prisoners, begun in the concentration camps, can be continued with effect only if those released realise that they are not left alone on their return to freedom. I therefore expect the local authorities, in the knowledge of their responsibility as members of the National Socialist State, to help and support the former prisoners." (P.38)

..... He always thought it important that misled communists and other enemies of the State be freed in the concentration camps of their poisoned outlook mainly by work connected with the soil. In September 1934, he ordered the release of a further 2,000 prisoners in a second amnesty. In due course, protective custody was discontinued to a very large extent. Several concentration camps were abolished completely.

(Page 39)

H0669-0061

Exhibit Goering No. 44

I certify herewith that the document reproduced above is a true copy from "Hermann Goering, Werk und Mensch " (Hermann Goering, the man and his work).

Nuremberg, 5th March 1946.

sgd. Dr.O.Stahmer

(Dr.O.Stahmer)
Attorney and Notary.

H0669-0062

CERTIFICATE OF TRANSLATION

7 March 1946.

We, J.B. ROBINSON, X-046350, BETTY D.RICHARDSON, P.O., W.R.N.S., 66370, EVELYN WITT, 110560, hereby certify that we are thoroughly conversant with the English and German languages; and that the above are true and correct translations.

J.B.ROBINSON
X-046350

BETTY D. RICHARDSON
P.O., W.R.N.S., 66370

EVELYN M. WITT
110560

File 56

Exhibit Goering No. 45

Questionnaire and answers

Sir George Forbes in London

25 February 1946

Answers received on 12 March 1946

H0669-0063

H0669-0064

Exhibit Goering No. 45

Questionnaire and answers

of the former Councillor of the English Embassy, Berlin,

Sir George Forbes, London,

25 February 1946

Answers received 12 March 1946.

---

1) Is it known to you that former Reich Marshal Goering in August 1939 seriously attempted by all means to bring about an understanding with England and a peaceable solution of the Polish question?

Answer: No.

2) Is it known to you that Goering carried out these efforts to bring about an understanding by going over the head of the German Foreign Office?

Answer: No.

3) Do you know civil engineer Birger Dahlerus of Stockholm?

Answer: Yes.

4) Do /you/ know that Dahlerus was in London repeatedly in August 1939 at the express request and in the name of Goering for the purpose stated in question 1) and that he there negotiated with Lord Halifax?

Answer: Yes, but only in order to keep Great Britain out of the war.

5) Can you make more detailed statements on the contents of the negotiations between Lord Halifax and Dahlerus?

Answer: No.

6) Do you know the contents of the letter written by Lord Halifax to Goering the end of August 1939 and given by him to Dahlerus for transmission to Goering?

Answer: I cannot recall.

7) Did Dahlerus on the evening of 30 August 1939 read to you over the telephone from Goering's study to the British Embassy in Berlin the verbatim text of the note dealing with the Polish question, which Reich Foreign Minister Ribbentrop read to Ambassador Henderson but did not deliver to him?

Answer: Yes.

8) Did you receive this telephone call and immediately write down the text of the note?

Answer: Yes. I wrote down what had been dictated but I do not recall if <u>everything</u> was taken down.

9) Did Dahlerus, on the next morning, 31 August 1939, at the instance of Goering seek out Ambassador Henderson in order to ascertain that the telephone message dictated during the night had been taken down correctly?

A.: Dahlerus visited the Ambassador, but I do not recall that I was present, and I do not know what he said.

10) Did Dahlerus on this occasion state that Goering wished this to be ascertained because he considered it proper for the English government to be informed of the contents of the note as soon as possible, in order to prevent the impending crisis from taking an ominous turn?

A.: I do not know, for the reason mentioned above.

11) Was it then ascertained by a comparison of the copy of the note handed to Dahlerus by Goering that you had taken down correctly the note transmitted to you by telephone the evening before?

A.: I do not know, for the reason mentioned above. No indication was ever given that my copy did not correspond with Goering's.

12) Did Dahlerus during the conversation state to Ambassador Henderson that Goering was doing everything in his power to bring about negotiations between the German and the Polish governments in order that a catastrophe might be avoided?

A.: I do not recall that I was present, and I do not know.

13) Did you thereupon; accompanied by Dahlerus, seek out the Polish Ambassador Lipski, on that forenoon (31 August 1939), at the instance of Ambassador Henderson, in order to apprise him of the contents of the note?

A.: Yes.

14) Did Dahlerus there first read the note to Lipski?

A.: Yes.

15) Did Dahlerus, since Ambassador Lipski obviously did not understand the contents of the note, then dictate the note in full to the secretary of Ambassador Lipski and then hand to Lipski what he had dictated?

A.: As Lipski apparently did not understand the contents, Dahlerus left the room in order to dictate to the secretary.

16) When Dahlerus had left the room in order to give the dictation, did Ambassador Lipski tell you the following: that he, Lipski, did not have the slightest reason to be interested in any note or proposal from the German side; that he Had been acquainted with the situation in Germany for five and a half years; that he Had had close connecti with Goering and other gentlemen of the highest circles; that he was convinced that, in case there should actually be a war, trouble would break out in Germany and that the Polish army would march successfully upon Berlin.

A.: I cannot recall.

H0669-0065

H0669-0066

P. 3 17) Did you inform Dahlerus about this statement made by Lipski, immediately after having left the Polish Ambassador?

A.: I cannot recall.

18) Were you on 31 August 1939 at 1700 hours with Ambassador Henderson at Goering's at the latter's invitation?

A.: Yes.

19) Did Goering during this visit propose -- in case the discussion between Ribbentrop and Lipski which took place on this day at 18:30 hours should be without result-- that direct negotiations be taken up between Germany and England with regard to the Polish question, in which England was to represent Poland's interests?

A.: I do not remember any constructive proposals whatever; the atmosphere was negative and desperate though friendly. I listened closely, and after so long a time it has impressed itself particularly strongly on my memory. Goering's statement to the British ambassador was: If the Poles should not give in, Germany would crush them like lice, and if Britain should decide to declare war, he would regret it greatly, but it would be most imprudent of Britain.

20) Did Goering transmit to Ambassador Henderson through Dahlerus a decoded telegram of the Polish government addressed to Lipski?

A.: I do not recall.

H0869-0067

P. 3 (cont.)

21) Did this telegram contain strict instructions to Lipski not to accept any note or message from Germany, not to engage in a factual discussion, but to explain his refusal by stating that he had no authorization to do so?

A.: All I remember is that Lipski had no authorization.

22) Would you prefer to appear as witness before the International Military Tribunal in Nuernberg?

A.: No, unless His Majesty's Government should wish it.

Certified for correctness of translation from the English

(signed) von Kittlitz

I hereby certify that the above document is a literal copy of the questionnaire which I submitted to Mr. George Forbes and of his answers to it of 25 February 1946.

Nuernberg, 13 March 1946

(signed) Dr. Otto Stahmer

(Dr. Otto Stahmer)

Attorney-at-law and Notary.

We, MARTHA VON GRONEFELD, AGO, 046 272, and VIRGINIA VON SCHON, X 046 318, hereby certify that we are thoroughly conversant with the English and German languages; and that the above is a true and correct translation.

14 March 1946

MARTHA VON GRONEFELD
AGO, 046 272
VIRGINIA VON SCHON
X 046 318

H0669-0068

Not admitted

Exhibit Goering Nr. 46

Telegram:

Hermann Winter-Berlin

to

Dr. Otto Stahmer.

dated 14th.March. 2200 hrs.

H0669-0069

Exhibit Goering No. 46.

Copy of

Telegram from Hermann Winter, former Political Prisoner, Berlin W.30. Eisenacherstrasse 118.

to Dr. Stahmer, Attorney, Nuremberg.

dated 14th.March 1946. 2200 hrs. Telegram No. 1895 Berlin/30 82/78 14 15 05/=

I give the following evidence: Goering in his capacity as Prussian Minister of the Interior had issued decrees making the ill-treatment of Political Prisoners subject to the most severe punishment. The Gestapo Officials who tortured me in 1934 and severely injured my health have themselves felt the consequences of Goering's decree in this connection. I fought against Goering as a National Socialist politician, but as a man he is more worthy of esteem than many of the present opportunist anti-fascists.

Hermann Winter, former political prisoner. Berlin W 30. Eisenacher Str.118

Sender: ditto.

Cf. 30 118 1934.

I herewith certify that the document reproduced above /is a true copy of the telegram from Hermann Winter.

Nuremberg.18th.March 1946.

(signed) Dr. O. Stahmer

(Dr. O. Stahmer)

Attorney and Notary.

H0669-0070

Exhibit Goering No. 46.

CERTIFICATE OF TRANSLATION

20 March 1946.

I, P.O. BETTY RICHARDSON, W.R.N.S., 66370, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation.

P/O. BETTY D. RICHARDSON
W.R.N.S., 66370

H0669-0071

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

H0669-0072

Filed July 3 1946

Exhibit GOERING No. 52

Questionnaire of the defendant

GOERING to Generalstabsrichter of the Air Force

Dr. Baron von HAMMERSTEIN

Question 1: Were you Chief Judge of the Luftwaffe (German Air Force) ?

Answer : Yes.

Question 2: Did you in this capacity make many reports to the defendant GOERING, as Supreme Law Lord of the Luftwaffe ?

Answer : Yes. The defendant Goering ordered me to report to him, who was Chief-Justice of the whole Air Force, approximately once every month since 1938.

Question 3: Did you thus hear of the appointment of the defendant GOERING as Supreme Law Lord and did you find that he took his duties, in this position, very seriously ?

Answer : I had ample opportunity to study the Defendant GOERING in his activity as Chief-Justice; and I was therefore able to get the conviction that he did everything possible to accomplish his duty with every desirable care. In his opinion this task consisted in maintaining discipline in the Air Force by every possible means, particularly whenever the morale of the troops was endangered. He regarded it also as his special duty to defend the interest of all accused, because he regarded his special mission to protect the personal welfare of each of his soldiers with the utmost gravity.

Question 4: Did he, for this reason (par. 3) insist upon making his own decisions in all the more important matters ?

Answer : The Defendant reserved for himself the exclusive right to decide personally on every matter of importance, particularly the decision on death sentences and the confirmation of such sentences, when pronounced by a Court Martial. Furthermore he decided himself on all such cases, when degradation of officers was decided. Death warrants against officers were directed to HITLER for his final decision, but with a comment of GOERING attached to them.

Question 5: Did he insist upon all soldiers under his command maintaining strict discipline ?

Answer : Maintenance of a strict discipline in every unit under his command, was the chief aim of the Defendant GOERING. He did not make any difference in offences of officers against soldiers, as well as of offences of soldiers against their officers. He was particularly severe in his measures against violence committed by drunken soldiers and of violence committed by soldiers against civil peoples.

H0669-0073

Question 6: What was his reaction in cases of violence by men under his command against the civilian population of occupied territorial - both in the West and the East - and against P.O.W. that came to his notice ?

Answer : Acts of violence and atrocities of soldiers of the Air Force against the civil population and Prisoners of War occurred only very rarely. As a matter of fact I cannot remember any cases of such offences, except rape (against women). The same concerns prisoners of war, with whom the Air Force had nothing to do because the whole organization of PW camps, transport, etc., was exclusively in hands of the Army. As to my knowledge, the German flyer treated the enemy flyer always chivalrously, because he knew that he would be treated, when himself taken prisoner, in the same manner by the enemy.

Question 7: Did he, in such cases, always demand a court martial ?

Answer : Whenever the Defendant GOERING got to learn of any violence against the civil population, violence committed by members of the Air Force, he ordered at once the investigation by a Court Martial.

Question 8: Did he demand particularly heavy punishment for attempts against women and did he protect the womenfolk of the population in <u>all</u> occupied territories ?

Answer : This point deals mainly with offences against the honor of women. In multiple special decrees, the Defendant GOERING warned the soldiers to regard the honor of every woman as a natural duty of the soldier and he equally warned them that the severest punishment would be the consequence of any violation of his orders. His object was not only to maintain discipline, but it was his innermost belief that any offence against the honor of a woman was unworthy of a soldier. Therefore he considered it as his task to protect women against such crimes. He did not make any discrimination in nationality. In many cases death sentence had been demanded by the Defendant GOERING, without regard to what nationality the woman belonged. I know of two cases, when he rejected the verdict of the Courts, because the death sentence had not been pronounced and because he regarded the decision of the Court as a too light punishment. Only in a third session did the Court Martial decide to pronounce a sentence of death. This case concerned a Russian woman.

H0669-0074

Question 9: Did the defendant GOERING regularly inform women who had suffered about the punishment meted out to perpetrators and give satisfaction to such women ?

Answer : Orders had been given by the Defendant GOERING, that the offended woman should be duly notified of the punishment, so that she may get full satisfaction. In particularly grave cases. GOERING had ordered that the death sentence should be executed by hanging by the neck at the spot where the crime was committed. It happened various times that the offended women potitioned leniency, as soon as they learned that the offender was sentenced to death or punished with long years of prison. Only in such cases did the Defendant GOERING agree to pardon the culprit.

Question 10: Did the defendant, in a case in which a parachutist was sentenced to death by court martial for a case of rape in Holland, make the decision regarding an appeal for mercy dependent upon agreement by the injured party ?

Answer : I know one case specially well. A parachutist was sentenced to death by the Court Martial decision of his Paratroop division. It concerned the rape of a woman in Holland. The Defendant GOERING decided that the execution should be made dependent on the decision of the woman herself. The soldier in question followed a young girl, who, however, disappeared in a house. By mistake he entered another house, where another woman opened the door. He demanded that the woman should surrender to him. The woman followed his desire without showing much resistance, because she saw that he had brought a rifle with him. In this case, I petitioned to see the woman myself with the purpose to hear her opinion as regards a possible pardon. The woman was the wife of an architect; she was aghast when she heard that the offender would be executed, and both she and her husband, who was present when I spoke to her, advocated fervently that the culprit should be pardoned and punished only with a short prison time. So far as I remember, the soldier was punished with three years of prison.

Question 11: What facts can you give as to the attitude of the defendant GOERING in the case of the Air Force officer von HIRSCHFELD, who had Polish women fetched out of prison and shot ?

Answer : Lieutenant (2d) von HIRSCHFELD was sentenced to death by a Court Martial. He had been found guilty of having broken into prison, captured various prisoners, and having shot them. Three women were amongst the victims. This deed was committed in a small town and 2d Lt. von HIRSCHFELD had been completely drunk. The Defendant GOERING was furious

H0669-0075

executed
when he got / learn this, and asked HITLER that the death sentence should be fulfilled without any delay and the petitions for pardon be rejected. HITLER, however, not only rejected the execution, but refused even to confirm the verdict. GOERING was greatly distressed when he got this news. Later on it was demanded that HIRSCHFELD should be permitted to re-enlist in the Air Force. This was refused by the Defendant GOERING with utterances of great disgust. The exchange of letters with HITLER on this occasion of this case showed an unusual sharpness and acrimony. HIRSCHFELD was not allowed to re-enlist.

Question 12: Is it true that the defendant, on principle, reprieved all women who had been sentenced to death by a court martial and that in no case was a death sentence against a woman executed ?

Answer : It is true that the Defendant always pardoned women from occupied territory, who were sentenced to death due to grave crimes, such as espionage or others. He proclaimed pardon, even if HITLER had reserved this right for himself. The Air Force justice offices have never executed one woman.

Dr. Baron von HAMMERSTEIN
Internee # 5902 / Generalstabsrichter
Camp 78 Zuffenhausen, Germany

Certified true copy.

Nuernberg, 30 May 1940 s/ Dr. Otto STAHMER

(SUPPLEMENT TO GOERING DOCUMENT BOOK) Gehalet - 53

CONFIDENTIAL

Report No: WCIU/LDC/1094(a) - ADS/LH

A.

Evidence obtained from PW LD 1027 Generaloberst Kurt Student at London District Cage on 22Mar 46, on instructions as received from the Allied Military Court at Nuremberg.

The prisoner was sworn in and gave his evidence as follows:

1. Q.: What military position did you occupy at the time of the attack on ROTTERDAM in May 1940?

   A.: I was in Command of all German Airborne troops then engaged in Holland.

2. Q.: What was the tactical situation of the parachute troops who were fighting at ROTTERDAM?

   A.: On 13 May 1940 contact was made with the approaching ground forces. ROTTERDAM, and thus the north bank of the river, were still in enemy hands. Onthe northern shore bay (Brueckenstess) there was merely a weak parachute section of about 20 men. In ROTTERDAM itself fairly strong enemy Forces were stationed at that time I estimated them at 4000 men at least.

3. Q.: For what reason were bombers asked by the ground forces

   A.: The Commandant of ROTTERDAM had several times been asked to surrender, but without result. I therefor decided to attack ROTTERDAM on the 14 May 1940 in order to clear th ROTTERDAMbridges. This was the last objective of the tas set me. I asked for bomber assistance for this attack. The target set for the bombers was the sector immediately north of the bridges which was more strongly occupied by the enemy.

4. Q.: Did you engage in captulation negotiations with the Netherland troops who were defending ROTTERdam?

   A.: No. and in explanation I would say: The various demands for capitulation were issued by the Commander concerned, the then Oberstleutnant von CHOLTITZ, who was in charge of the sector in front of the bridges. In the night from the 13th to the 14th , after the arrival of stronger ground forces and in accordance with regulations for airborne operations, Iwas relie by an Army Commander, Generaloberst SCHMIDT sent the last demand for capitulation to the Commandant of ROTTERDAM.

5. Q.: Were the German aircraft already ontheir way when the negotiations for capitulation had not yet been conclud

   A.: Yes. Besides, the bombs were dropped at a time when the negotiations for capitulation had not been conclud

6. Q.: Why could not the approaching German squdrons be made change course in time?

(Sgd) Kurt Student, Generaloberst.

A.: An urgent W/T message was sent which, however, did not get through. In addition, red verey lights were shot off at the approach of the first planes. These red verey lights meant: "No bombs to be dropped." I cannot say anything further in this matter.

7. Q.: Did all the squadrons at hand engage in the attack or did <u>one</u> squadron alone carry out the attack?

A.: Only a single squadron was engaged in the attack. As I found out later, as far as I remember, only the leading wing turned off, including the Group Commander, who recognised the meaning of the red signal lights. The following wing dropped their bombs because they did not recognize the red signal lights.

8. Q.: How can the severe spreading of the fires be explained which were caused by the attack?

A.: I explain this by two reasons: first, by several planes having missed their target, and secondly, by the fires extending to a big area (Flaechenbrande) on account of the comparatively old houses in the part of the town near the bridges and because of insufficient fire-fighting equipment.

(Sgd) Kurt STUDENT, Generaloberst,

Present: (Sgd) A.P. SCOTLAND, Lt.Col.

Official interpreter: (Sgd) W. BENNITT, W.O.I.

Official stenographer: (Sgd) E. METZGER, Sgt.

L.B.C.
25 Mar 46.

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H0669-0077

Replies obtained from FM
LD 1027, Generaloberst Kurt STUDENT
at London District Cage on 22 Mar 46
to questions from Prosecuting Counsel.

The prisoner was sworn in and gave his evidence as follows:

1. Q.: You admit that ROTTERDAM was bombed after the capitulation but do you contend that this was done in error?

A.: ROTTERDAM was in fact not bombed after the capitulation but during the negotiations for capitulation.

2. Q.: Is it not a fact that German aircraft were despatched to bomb ROTTERDAM whilst the capitulation was being negotiated?

A.: Yes, I have just said so, but there is a contradiction in these two questions.

3. Q.: Is it not a fact that the bombing of ROTTERDAM after the capitulation might have been avoided if the bombers had been held on the ground while the final phases of the capitulation were being negotiated?

A.: At 1400 hours, a Dutch Captain arrived, sent by the Commandant himself, that is at the time when the ultimatum was to be delivered. He made excuses and asked for an extension. Generaloberst SCHMIDT granted this extension and during the extra time thus granted the bombing of ROTTERDAM unfortunately took place. An attempt to stop it was made but did not succeed because the W/T messages did not get through, as I have mentioned above.

4. Q.: How long did it take the German bombers to reach ROTTERDAM from their bases?

A.: I was not in command of the bombers. I do not know where they came from. I cannot therefore answer this question.

5. Q.: How long did the negotiations for capitulation take from start to finish?

A.: The negotiations were by no means continuous. The position was that an ultimatum had been delivered to the enemy.

Q.: At what time was that?

A.: As far as I remember it was at 1400 hours. At that time a Dutch Captain appeared at the bridges, where Generaloberst SCHMIDT and I happened to be, in order to receive the ultimatum. To our surprise the Dutch Captain asked for an extension for reasons which were not altogether convincing and appeared to us only to be excuses. In spite of this the requested extension was granted by Generaloberst SCHMIDT. I believe it was a question of two hours.

(Sgd) Kurt STUDENT, Generaloberst.

H0669-0079

6. Q.: Your ultimatum had nothing to do with capitulation, or what?

A.: Yes, that was just the demand for capitulation which was made in the form of an ultimatum.

Q.: But when did you start?

A.: I do not know that. That was initiated by Generaloberst SCHMIDT alone. During that interval the bombing attack took place. That is, during the hours between 1400 and 1600 hours. I cannot guarantee that these are the right times. Immediately after the dropping of the bombs the Commandant himself came to the bridges and there the surrender of the town took place.

7. Q.: What is Generaloberst SCHMIDT now?

A.: I do not know. He was retired about 1943.

8. Q.: In the conditions of the ultimatum for the surrender of the town did he say: "Either you capitulate or you will be bombed?"

A.: I do not know.

9. Q.: In any case, you did not write out the conditions of the capitulation?

A.: No. That was a step taken by Generaloberst SCHMIDT on his own initiative. He ordered me to come to the bridge and there, as a matter of fact, he first told me of these steps.

(sgd) Kurt STUDENT, Generaloberst.

Present: (Sgd) A. . SCOTLAND, Lt. Col.

Official Interpreter: (Sgd) W. BONWITT, W.O.I.

Official Stenographer: (Sgd) E. METZGER, Sgt.

L.D.C.
25. Mar 46.

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Supplement to Goering document Book File copy

CONFIDENTIAL

Report No: WCIU/LDC/1094(a) - ADS/LH

53

A.

Evidence obtained from PW
LD 1027 Generaloberst Kurt Student
at London District Cage on 22Mar 46,
on instructions as received from the
Allied Military Court at Nuremberg.

The prisoner was sworn in and gave his evidence as follows:

1. Q.: What military position did you occupy at the time of the attack on ROTTERDAM in May 1940?

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2. Q.: What was the tactical situation of the parachute troops who were fighting at ROTTERDAM?

A.: On 13 May 1940 contact was made with the approaching ground forces. ROTTERDAM, and thus the north bank of the river, were still in enemy hands. Onthe northern shore bay (Brueckenstess) there was merely a weak parachute section of about 20 men. In ROTTERDAM itself fairly strong enemy Forces were stationed at that time I estimated them at 4000 men at least.

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(Sgd) Kurt Student, Generaloberst.

H0669-0080

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(Sgd) Kurt STUDENT, Generaloberst,

Present: (Sgd) A.P. SCOTLAND, Lt.Col.

Official interpreter: (Sgd) W. BONNITT, W.O.I.

Official stenographer: (Sgd) E. METZGER, Sgt.

L.D.C.
25 Mar 46.

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H0669-0081

Replies obtained from FM
LD 1027, Generaloberst Kurt STUDENT
at London District Cage on 22 Mar 46
to questions from Prosecuting Counsel.

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(Sgd) Kurt STUDENT, Generaloberst.

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8. Q.: In the conditions of the ultimatum for the surrender of the town did he say: "Either you capitulate or you will be bombed?"

A.: I do not know.

9. Q.: In any case, you did not write out the conditions of the capitulation?

A.: No. That was a step taken by Generaloberst SCHMIDT on his own initiative. He ordered me to come to the bridge and there, as a matter of fact, he first told me of these steps.

(sgd) Kurt STUDENT, Generaloberst.

Present: (Sgd) A. . SCOTLAND, Lt. Col.

Official Interpreter: (Sgd) W. BONWITT, W.O.I.

Official Stenographer: (Sgd) E. METZGER, Sgt.

L.D.C.
25. Mar 46.

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H0669-0084

Exhibit GOERING No. 54

DISBANDED ENEMY FORCES ENCLOSURE 20
Allendorf, Germany

25 March 1946

SUBJECT: Interrogation of Air Chief Marshal (General der Flieger) KAMMHUBER

TO : Headquarters Command, International Military Tribunal (Provisional) APO 403, U.S. Army

The following is the result of the interrogation of Air Chief Marshal (General der Flieger) Josef KAMMHUBER.

Question 1): Is it known to you that on 2 May 1938 an "Organizational Study 1950" was presented by the Chief of the Organizational Staff in the General Staff of the Luftwaffe to the Chief of the General Staff of the Luftwaffe?

Answer 1): Yes.

Question 2): What purpose does this study serve?

Answer 2): The study served the purpose of finding the most advantageous organization of the Luftwaffe. There were differences of opinion about this between the Chief of the Operational Staff, the then Lt. Colonel (General Staff) JESCHONNEK, and myself at that time Chief of the Organizational Staff. Added to this was the demand by the Army to subordinate the air force troops during war to the commanders-in-chief of the Army as well as the release of the anti-aircraft artillery from the Luftwaffe and its subordination to the Army. Opposed to this, my proposal insisted on the creation of "Luftwaffe group commands" (Luftwaffengruppenkommandos)(which were later renamed "air fleets"). I had to defend my proposal against the reproach that such air force group commands would not be adequate in case of war during favorable progress of the situation at the front, and this study served this purpose.

Question 3): Was it a question only of a sketch for maneuvers which was based exclusively on theoretical assumptions?

Answer 3): Yes. It was a question of a sketch for maneuvers for the clarification of pending organizational questions which were based on theoretical assumptions by myself insofar as the part of the study which is headed "remote goal" (Fernziel) is concerned. The organizational recommendations concerning the "final goal 42" (Endziel 42) and the "interim solution to 1 October 1938" (Zwischenloesung zum 1.10.38) on the other hand were my positive proposals for the organization of the Luftwaffe as they resulted from the purport and the purpose of the study.

Question 4): Was this sketch prepared by order of GOERING?

Answer 4): No. I prepared this study and the recommendations resulting from it for the organizational "final goal 42" (Endziel 42) and the organizational "interim solution to 1 October 1938" (Zwischenloesung zum 1.10.38) by my own decision.

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Question 5.) : Was this sketch presented to the defendant GOERING or was he informed about it in any other way?

Answer 5.) : I no longer know whether this sketch was presented to Reich Marshal Hermann GOERING. On the other hand, I personally reported the results of my study to him without the necessity of thereby making the entire content clear to him in all parts and all connections as "Study 50". The Reich Marshal as a rule never interested himself in the form of a presentation or a report, but solely in their contents. Concerning the subject of organization, treated in the study, several confereneces took place with GOERING after my report to him in which the then Chief of General Staff of the Luftwaffe, General STUMPF, and Lt. Col. in the General Staff JESCHONNEK participated. GOERING on the basis of my report, finally made a decision in accordance with my opinion. Thus the Luftwaffe group commands (air fleets) were established. In this matter "study 50" played no other role than the one of serving me personally, at that time organizational chief of the Luftwaffe, as support for my argument in my organizational proposals.

H0669-0086

Affirmation in lieu of oath

signed: KAMMHUBER

JOSEF KAMMHUBER

Air Chief Marshal

(General der Flieger)

Certified true copy:

Nuernberg, 30 May 1946

signed Dr. Otto STAHMER

Exhibit GOERING No 55

Nuernberg, 28 May 1946

Karl KOLLER
General der Flieger
(From Nov.44 on: Chief of
the Air Force General Staff)

To the question of the defendant Hermann GOERING put to me by the I.M.T. in the criminal procedure against Hermann GOERING I reply under oath as follows:

I.

Q.1: Did the former Reichsmarschall GOERING ever give the order to shoot without any procedure enemy terror aviators who had been shot down, or to hand them over to the Police (SD)?

A.1: To my knowledge: "No?" in any case, I do not know of such an order of the Reich Marshal.

Q.2: Did the former Reichsmarschall GOERING have anything to do with an order by virtue of wich, the British Air Force officers, who escaped from the prisoner-of-war camp Stalag 3 at Sagan in March 1944, were shot by the Police (SD)?

A.2: General KORTEN told me, that the Air Force, that is the Reich Marshal and himself (General KORTEN) did not participate in issuing the order

Q.3: Did the former Reichsmarshall GOERING gain knowledge of the fact mentioned under 2 only after the order issued by HITLER?

A.3: General KORTEN told me that he and the Reich Marshal only had learned of it afterwards.

Q.4: On what day was this order issued by HITLER?

Q.5: On what day or on what days was it executed?

A. 4 and 5: Unknown.

Q.6: Do you know whether the former Reichsmarschall GOERING very strongly condemned the shooting of these 50 British Air Force officers?

A.6: General KORTEN told me that the Reich Marshal was very indignant at the shooting.

Q.7: Do you know, whether the former Reichsmarschall GOERING and his Air Force representatives (Chief of the General Staff) repeatedly objected to HITLER against the procedure,

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ordered by HITLER, to be taken against the terror aviators who had been shot down?

A.7: According to statements made to me by General KORTEN in June 1944, this is correct. I also remember that I was informed at some later date, that the Reichsmarschall complained to the Fuehrer about the action of party officials and persons of the population against so called terror flyers. The reason for it was that some of our own plane crews were hurt.
In March 1945 the Reichsmarschall objected strongly to the order given by the Fuehrer - to hand over to the SD the bomber crews which were captured during the last months and in future.

B) Additional explanatory and supplementary statement to question 1 - 7:

General:

During the period in question I was Chief of the Air Force General Staff. In February 1944 the Fuehrer Headquarters, OKW, the Reichsmarschall with his personal entourage and the Chief of the Air Force General Staff, General KORTEN with 2 or 3 staff officers moved to Berchtesgaden. I had to remain in East Prussia ("Robinson") with the OKL, i.e. with the entire working staff because an early withdrawal of the Fuehrer-Headquarters was expected. The entire organization of communications and issuing of orders, for the direction and supplying of the Air Force should be handled through "Robinson". The separation of the OKL on the one side and the Commander in Chief/Chief of the General Staff on the other, which was prolonged from week to week had the result that we in East Prussia were frequently not informed at all or often very late of matters which were often handled directly in Berchtesgaden and also of important directives, concerning the position of the leaders (Anordnungen in der Fuehrerlage).
It was but in the beginning of June, I believe during the week after Whitsuntide, that I was ordered to follow with some sides to Berchtesgaden. From February on up to that time I believe I was only for a single conference in Berchtesgaden.

To question 2 - 6 "Sagan":
Of the shooting of the fliers, who had escaped from Sagan, carried out on the Fuehrer's order, I heard from General KORTEN and I believe from Colonel Christian almost at the same time. I believe, however, from General KORTEN first, who as far as I recall, informed me during one of the lengthy daily evening-long-distance-calls. KORTEN hereby showed distinct disapproval and told me that I have stated above in direct reply to questions 2, 3, 6. This telephone conversation may have taken place at about the end of March or beginning of April. I cannot give the exact time.

To question 1 and 7 "Terror Flyers":
About the beginning of June 1944 (I first thought in July, but it must have been June) General KORTEN informed me that the Fuehrer considered to issue an order to the effect that the terror flyers should be left to the mob violence. We repeatedly discussed that and agreed in our disapproving opinion.

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It is true we considered the direct attacks of low flying enemy planes on individual civilians, women and children; gatherings of civilians; regular civilian trains; hospitals, school classes on a walk and kindergartens; our crews, bailing out by parachute, farmers at work in the fields, cruel and definitely against international and military law, but we did not think the Fuehrer's order a practical way and a solution of the difficult problem.
Our reasons: Articles of War, - International Law; in contrast to soldierlike attitudes; possible source of numerous misunderstandings through which also other enemy as well as our own crews would be hurt; effect on the morale of our own crews. The evidence given me for examination by defense counsel:

Documents:
731 / PS
735 / PS
773 / PS
774 / PS
775 / PS / GB 308
776 / PS
777 / PS
778 / PS
779 / PS / GB 312
781 / PS / GB 314
782 / PS / GB 315
783 / PS / GB 316
784 / PS / GB 317
785 / PS / GB 318

shows that the discussion of the problem must have begun about in the last third of May and that the correspondence between OKW and the Adjutant's office of the Reich Marshal took place directly and was not channelled through OKL. I recall however, to have already seen the document 775-PS GB 308 "Definition Terrorflieger" I believe it was with KORTEN.
This correspondence OKW - Reichsmarschall/Adj. - Foreign Office is proof on one side for the thorough examination of the entire question by all concerned, on the other hand it shows all signs of a "struggle for time", e.g. the people involved wanted either no decision or to postpone it as long as possible.

For instance: A) Document 779/PS/GB 312 "Reichsmarschall in reply to request for his opinion, refers to handling through courts";
B) Document 781/PS/GB 314 "Since impossible to determine from reply Reich Marshal (see above A) whether Reich Marshal agrees or not, opinion of Reich Marshal is repeatedly requested by letter
C) Document 785/PS/GB 318 "Inquiry to Adjutants Office Reich Marshal, whether order had been given to Commander Oberursel, or when it is intended to give such an order";

With the remarkable marginal note "Unable to abtain reply from O.B.L."

Exhibit GOERING No 55

c) Q.8. Did the Fuehrer, for the reason given under 5, during a discussion of the situation heatedly accuse the German Air Force, in front of all those present, of having made a mutual cowardice pact with the Allied Air Force?

A.8: During about the first half of March 1945 BORMANN submitted to the Fuehrer an article from the Allied Press Reports. - The essence of it was: "An American fighter plane crew, shut down shortly before over Germany had been picked up again by advancing American troops. They stated that they had been mistreated by enraged civilians, had been threatened with death and very likely would have been lynched if German soldiers had not rescued and protected them." BORMANN specially pointed out to HITLER with a few words that this confirms that German soldiers in such cases take action against their own people and finished by saying approximately "this is how your orders are being followed, my Fuehrer".

Among his very angry remarks, made subsequently in front of all present Adolf HITLER also said: "The reason for not carrying out my orders is only cowardice of the Air Force because the gentlemen of the Air Force are cowardly and afraid that some time something could happen to them too. The whole thing is nothing but a cowardice pact between the Luftwaffe and the British and American fliers."

I made a report on that to the Reich Marshal.
I do not know whether Adolf HITLER made the same remark to the Reich Marshal himself. But I think it highly probably as A.H. frequently repeated himself in such reproaches in the same phrases about the Air Force.

Q.9: On what day did this discussion take place?

A.9: I cannot indicate the day.

Q.10: Did the Fuehrer repeatedly order the former Reichsmarschall GOERING to name the Air Force officer who, in May 1944, protected an enemy airman, who had baled out over, Munich, from being lynched by the inhabitants?
Did the Reichsmarschall despite repeated inquiries by HITLER, give no instructions of any sort, that the name of this officer, be ascertained and HITLER be informed of it.

A.10: I do not know this incident from personal experience. - I only heard it related once."An officer of the Luftwaffe and an Ortsgruppenleiter together had near Freising protected a flyer from mob violence. FEGELEIN was supposed to have reported that to the Fuehrer in a sharp manner. The Ortsgruppenleiter was shot thereupon. The officer involved, however, could not be found or ascertained" -

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H0669-0091

I do not know of any order by the Reichsmarschall to the OKW to take steps for ascertaining the officer involved. I did not receive such an order.

Generaloberst STUMPFF, Commander in Chief of the Air Force Command Reich, which was competent in this case in the first place, told me that he too did not receive such an order and did not know of such an order. Generaloberst STUMPFF should know if such an order had been given to the locally competent Luftgau Command VII. I assume that if the Reich Marshal really had wanted to find out the officer he would have given a strict order to the OKL to that effect.

Q.11: Was the Luftwaffe, at the end of the war, ever given the task of destroying Dachau concentrations camp by bombing on the approach of the enemy? In particular, was a task of this kind ever assigned by the Gauleiter of Munich under the cover-name of "Wolke"? Could a Gauleiter assign a task of this kind to the Air Force at all?

A.11: I cannot recall such an order. I do not know whether the Gauleiter of Munich tried to give such an order to one of the command posts of the Luftwaffe located at that time in his district, for example Luftflotten Command 6 or Luftflotten Command West. I would assume, however, that such an attempt would have been brought to my knowledge.

The Gauleiter had neither in that capacity nor as Reich Defense Commissar the right or authority to give such an order. Encroachments by Gauleiters and Reich Defense Commissars on the sphere of the Luftwaffe occurred but were settled through the interference of higher Luftwaffe authorities. Such encroachments were facilitated where military commanders, especially of the ground forces were no strong personalities, allowed to be intimidated or were not correctly informed as to their own duties and competences.

I believe, however, every air force commander with the command over flying units would have rejected such a Gauleiter order on his own, or he would have, at least, reported to his superiors before taking any measures and asked for a decision.

Q.12: What do you know about the attitude and opinion of the Reichsmarschall and his Air Force towards shot down enemy aviators?

A.12: Regardless of occasional utterances of disapproval /the attitude of the Reichsmarschall remained always correct and chivalrous, in accordance with

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his flier's tradition from the first world war, often emphasized. Harsh words sometimes perhaps used in understandable anger because of great difficulties in the air defense, pressed hardly as he was by the Fuehrer were quickly forgotten and I know of no case where such spontaneous utterances by the Reichsmarschall resulted in incorrect or harsh measures or orders against members of the enemy airforces.

The attitude of the Luftwaffe as a whole was also always correct and humane. "To fight chivalrously" was a matter of honor to the German flier. Only a few examples out of many:

A) Although the fliers were very bitter about the enemy attacking with board weapons German crews bailing out and although individual hot-spurs suggested the same measures as reprisals, almost all of them finally rejected such a procedure as unfair and unchivelrous.

B) The use of the sea rescue service of the Luftwaffe from the German Bay through the entire English Channel down to Brest in the bay of Biscay in the Atlantic and the Mediterranean in the same way for the enemy as for the Germans. Crews of the sea rescue airplanes and sea rescue boats have worked with never tiring efforts and exemplary devotion for "friend and foe in distress". They carried on even when the enemy began to attack ruthlessly our sea rescue airplanes in the air in spite of "Geneva Cross and unarmed" and shot them down. This resulted in heavy losses of material and men. Best German crews, going to the rescue of shipwrecked enemies were repeatedly shot down and destroyed by the latter's own comrades.
Among the thousands rescued from distress at sea by the German air rescue service members of the enemy forces (air plane and ships crews) had a far predominant share. Without being able to state off hand exact figures, I estimate, to the best of my recollection, the share at about 70 to 80 % of the rescued.

C) If, on our own missions, reconnaissance or others, distressed crews, of the enemy also, were sighted in the proximity of the enemy coast line or outside the range of our own rescue service, the enemy's attention was called by radio to the distressed and thus asked for their rescue. This procedure was employed first by us. We always acted upon similar information afterwards coming also from the enemy. Numerous people could thus be saved.

D) I answer the questions put by order and on behalf of the prosecution under oath as follows:

Q. 1: In what way was KALTENBRUNNER involved in GOERING's arrest by the SS in Berchtesgaden towards the end of the war?

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A. 1: The arrest of GOERING took place, as far as I know, by direct order of the Fuehrer which was transmitted by BORMANN to the chief of the Security Service in the Berghof district, Standartenfuehrer Dr.FRANK. My own arrest was ordered and executed in the same way.

I cannot say how far KALTENBRUNNER was involved. I must, however, deduce from the following that he was involved:

After my own release I received from Standartenfuehrer FRANK on 24 April 1945 and in the following days continuously alleged Fuehrer orders (radiograms), by which I was ordered to Berlin for a personal report to the Fuehrer. At the same time Standartenfuehrer Dr.FRANK had someone tell me in the morning of the 24th, that KALTENBRUNNER would come to Berchtesgaden during the day. I could then tell KALTENBRUNNER the events and the flight to Berlin would then become unnecessary. I asked to send KALTENBRUNNER to me, or to let me know when he is in Berchtesgaden. When in the late evening of the same day FRANK again requested my night flight to Berlin, due to an alleged new radiogram of the Fuehrer, I pointed out that I was still waiting for KALTENBRUNNER. FRANK told me that KALTENBRUNNER had, indeed, been in Berchtesgaden, but had left again after 20 minutes because he had only little time. FRANK assured me that he did not know where KALTENBRUNNER stayed. When I then pointed out that it was now too late for this night (24/25) to fly to Berlin, FRANK told me, that KALTENBRUNNER would come again to Berchtesgaden on the 25 April and that I still could speak to him at that time about the events. Otherwise I should then fly to Berlin in the night from 25th to 26th.

On 25 April I waited for KALTENBRUNNER in vain just as I had waited for him on the 24th and I learned in the late evening of the 25th under similar circumstances as on the 24th that KALTENBRUNNER had been in Berchtesgaden on the 25th as well. But he again did not come to see me and I was equally not informed of his presence in spite of the promise given to me previously by Frank.

Q. 2: What did KALTENBRUNNER do to force Air Force Officers to transfer to the SS towards the end of the war?

A. 2: According to my knowledge KALTENBRUNNER wanted to demand or force the transfer to the SS of the following officers of the Adjutant's Office of the Reichsmarschall:

Colonel I.G. von BRAUCHITSCH, Lt. Col. I.G. TESKE, Major NUELLE, (Woehlermann, that I do not know, KOITMANN had fled in the meantime). When they refused the transfer, he ordered that these officers had to be brought immediately to the Waffen SS in the sector of Vienna to be tested at the front. The transfer should take place with an SS escort.

I learned of this just in time. I considered this measure a grave encroachment on the authority of the Air Force, as unjustified and inperspicuous and

Exhibit GOERING No. 55

prevented its execution.

I know of no other cases.

signed Karl KOLLER.

There has appeared before me this 29th day of May 1946 one KARL KOLLER, being of sound mind, who deposeth and sweareth that the testimony contained herein over his signature is the truth, the whole truth and nothing but the truth. Subscribed in my presence.

(signed) Robert B. STARNES

Robert B. Starnes

1st Lt. Inf.
Chief Prison Officer

I herewith certify that the above document is a verbatim copy of the questionnaire of General der Flieger KOLLER.

Nuernberg, 12 June 1946

signed: Dr. Otto STAHMER.

H0669-0095

Exhibit GOERING No. 60

(Page 1 of orignal)

Excerpt from
"Official Matter re Mass Murder of Katyn"
(Berlin 1943) (Pages 125 - 139)

Post-mortem examination findings of the Italian

Professor PALMIERI

Corpse, identification No. 800

Official insignia of a major. Dressed in topcoat, leather jacket, uniform coat, white shirt, white drawers, white socks, high boots.

Height: 1,64 m.

No livid spots.

No vital injuries except at the head.

Thorax and abdomen completely sunk in, lower vertebral column palpable at the front side.

Surface discoloration of the front part of the trunk.

The corpse is dried up in part, saponified in part mainly at the lower extremities.

The right leg is detached at the knee-joint.

The hands are tightly fastened on the back with a white cord which penetrated rather deep between the radius and the middle wrist bones.

The hands are nearly mummified.

The right thumb is stiff. The other 4 fingers are bent between the 1st and 2nd joint, on the right hand as well as on the left. The scrotum is completely flat. The testicles are not to be seen. The penis is completely flattened like a leaf.

In the clothing there is a large number of dead larvi.

Sectioning of the head.

Scalp covered with very few hairs which are rapidly falling out. Soft skull covering completely mummified

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so that they appear leathery.

In the soft skull covering 5 sections of the tissue (Gewebsdurchtrennungen) (roundish) of a different diameter. The first injury in the middle line of the forehead, hardly 1 cm above the root of the nose, about 2 cm diameter. 3 cm further upwards also in the middle line another section of the tissue, also roundish of 1 cm diameter. A third roundish injury more than 1 cm diameter in the occipital bone 1 cm to the left of the middle line; immediately next to it a fourth roundish section of the tissue of about 1 cm diameter. 2 cm above the foramen of the occiput a 5th roundish section of the tissue of less, than 1 cm diameter.

The tissue has almost completely disappeared at the cheeks. The jaw-bones are intact, but entirely without teeth.

The skin of the neck has almost completely disappeared; one sees the muscular system of a bluish-red color soiled with dirt.

The tongue is flat. In the throat a great number of dead larvi. After removal of the soft coverings of the skull one sees that the bony skull shows 5 holes and different fractures. The position of the holes corresponds to the injuries in the soft skull coverings described above.

Here are the dimensions:

1. Injury oval and somewhat oblique from the left to the right located above. The lips are sharply and obliquely cut through, crateriform, so that the inner aperture is narrower than the outer. Through this injury we can see that the cerebral substance is completely destroyed. From this injury originates a system of fractures with 5 fractures mainly directed laterally and downwards.

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Two of these fractures form a circle around the right roof of the socket of the eye. Another runs across the root of the nose and a part of the roof of the right eye socket. From the fracture above the roof of the right eye socket a further fracture starts, which winds over the right frontal skull, runs across the center of the skull and ends at the occiput.

2) Injury has also the form of a crater, is round without any fractures in its vicinity.

3) Injury has likewise the form of a crater, is partially broken into splinters. The inner cavity measures 1,5 centimeters.

4) Injury likewise has the form of a crater, is round, and measures barely 1 centimeter.

5) Injury is round, measures 1 centimeter. From this injury two fractures in the form of a scissor go upward. The fracture on the left is longer than that on the right.

The bony skull can be easily sawn.

On examining the pericranium from the inside the edges of the second injury appear to be blackened.

The hard meninges in back shows perforations corresponding to the injuries of the skull bones. A large part of the brain substance has run out through these holes. The brain substance is greenish in color with prominent red spots, so that it must be assumed that severe bleeding has taken place. The reddish change in color is shown most predominantly in the back part of the brain; further details cannot be recognized because the whole brain substance is like pulp.

In the brain substance there are several bone splinters of the size of a millet seed and larger, furthermore a bullet of caliber 7.65. The base of the brain has likewise burst, especially in its front part. The ethmoid bone has been completely destroyed.

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The nose and throat cavity can be reached from the brain. The eye-balls are in a good condition, but show a yellowish tinge.

Breast- and Stomach Cavity:

No special marks on the throat.

Many dead larvi in the throat.

Breast bone has collapsed.

After opening the breast cavity the lungs lie completely free without any deformity, very flat, completely blue in color. The structure of the lung tissue can no longer be recognized. Here and there little bubbles of putrefaction can be recognized.

The pericardium is intact.

The heart is completely flat, the ventricle is empty. The heart-flaps are intact. At the starting point of the aorta there are various spots of commencing Atheromatosis.

The aorta-tissue has a bluish color.

As the result of desiccation the liver has shrunk, and is devoid of blood. In the tissue there are various whitish mouldy fungous cultures.

The spleen is completely flat.

The kidneys are also very flat and desiccated. No details can be recognized.

The stomach is empty.

The large intestine is full.

The bladder is empty.

The sub-cutaneous fatty tissue of the abdominal integument has become fluid and has then clotted again.

Otherwise no other peculiarities.

SUMMARY

Death has been caused by a brain-hemorrage and by extensive destruction of the brain substance. These were caused by 3 pistol-shots, probably of the same caliber (7.65).

H0669-0099

The 3 spots where the bullet entered were close to each other in the back of the head. Two spots where the bullet left were on the forehead. One shot was a stuck-shot (Steckschuss). Death must have followed immediately.

Partial saponifcation of the body would lead us to assume that death occurred more than a year ago.

Result of post-mortem examination by the Bulgarian

Professor Dr. MARKOV

Body identity No. 827

Body of a man of medium size, fairly well nourished. The corpse was dressed in the uniform of a Polish lieutenant. It wore an overcoat, field-jacket, shirt, scarf, woollen undershirt, trousers, pants and boots. Inside the clothes documents were found. They were kept in file No. 827.

A. Exterior inspection:

1. Skin still well preserved, partly, leatherlike.
2. Hair and nails are mostly lost.
3. Here and there the skin has turned blue, otherwise grey-redish.
4. In the vicinity of the back of the head one sees a small rent in the tissue about 8 mm in diameter. The wound is at the left of the back main bone and 2 finger broad underneath.
5. In the vicinity of the left forehead two finger broad above the left eye-lid one finds a further rent of the tissue about 1 cm in diameter.
6. Other injuries have not been ascertained.

B. Interior inspection:

7. 0,6 cm to the right and 2,4 cm from the tuberosity of the back of the head there is a

H0669-0100

slight oval hole in the skull measuring 0,8 cm. Larger fractures on th back of the skull are not recognizable. The transpercing shot is on the exteri articular cavity (Knochenplatte) of a smaller diameter than on the interior.

1,5 cm above the left eye brow bend and 2 cm from the centre of the forehead ther is a further defect in the bone, which is almost square, with a diameter of 3 times 1,2 cm. The defect on the interior articular cavity is smaller than on the exterior. From this bone defect three fractures radiate like beams . The one goes down in the direction of the left ear, the other across the partie bone and the third above the root of the nose to the right eye-brow bend. From there it bifurcates with a beam to the parietal bone; one goes to the rig ear. In the skull one still recognizes the hard brain skin and a rest of soli brain-matter.

. The lungs have shrunk and turned grey-blueish.

). The heart, as a whole, is still preserved, in its right part blue-blackish. To the left one can still clearly see the valves, whose sinew-threads are round The heart muscle in the cut in its individual fibrous tissues is still recognizable and brown-red.

1. In the stomach some matter was still found.

2. In the adipose tissue of the small intestine mesentory one finds adipocere growth.

3. The milt is small, shrunk.

4. A structure of both kidneys no longer recognizable.

5. The liver is also very much shrunk and turned blue-black. Structure no longer recognizable/

I hereby certify that the above copy agrees with the original from the "official material regarding mass murder of Katyn".

Nuernberg, 15 July 1946

for DR. STAHMER

KRANZBUEHLER

H0669-0101

Excerpt from the

"Official documents concerning the massmurder at Katyn"

compiled by order of the Ministry of Foreign Affairs based on documentary material of evidence compiled and published by the German Information Office (Berlin 1943) (Page 114-118)

17. Protocol of the International Medical Commission

at the time at Smolensk, 30. April 1943

P r o t o c o l .

drawn up on the occasion of the examination of mass-graves of Polish officers in the forest of Katyn near Smolensk, subject to a thorough scientific examination which was performed by a commission of leading representatives of European colleges for the study of law, medicine and criminology and other prominent medical college teachers.

The Commission was composed of the following persons:

1. Belgium: Dr. Speleers, ord. Professor of ophtalmology at the University of Ghent.

2. Bulgaria: Dr. Markov, ord. Professor of forensic medicine and criminology at the University of Sophia.

3. Denmark: Dr. Fransen, Demonstrator at the Institute of forensic medicine of Copenhagen.

4. Finland: Dr. Saxen, ord. Professor of pathological anatomy at the University of Helsinki.

5. Italy: Dr. Palmieri, ord. Professor of forensic medicine and criminology at the University of Naples.

6. Croatia: Dr. Mihoslavic ord. Professor of forensic medicine and criminology at the University of Agram.

7. Netherlands: Dr. de Burlet, ord. Professor of anatomy at the University of Groningen.

8. Protectorate of Bohemia and Moravia: Dr. Hajek, ord. Professor of forensic medicine and criminology in Prague.

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9. Roumania: Dr. BIRKLE, Court Doctor attached to the Roumanian Ministry of Justice and first assistant at the Institute of forensic medicine and criminology in Roumania

10. Switzerland: Dr. NAVILLE, ord. Professor of forensic medicine at the university of Geneva

11. Slovakia: Dr. SUBIK, ord.Professor of pathological anatomy at the university of Pressburg, Chief of the State Health Service in Slovakia.

12. Hungary: Dr. OROSOS, ord. Professor of forensic medicine and criminology at the university in Budapest.

During the work and conferences of the Delegation the following were present:

1. Dr. BUNTZ, ord. Professor of forensic medicine and criminology at the university of Breslau, instructed by the German High Command to direct excavations in Katyn,
2. Medical-Inspector Dr. COSTEDOAT who was commissioned by the head of the French Government to be present at the work of the commission.

The discovery of mass-graves of Polish officers in the forest of Katyn, near Smolensk, which was brought recently to the notice of the German authorities has caused the head of the Reich Health Service Dr. CONTI to invite the above mentioned specialists from various European countries to be present at the inspection of the place discovered at Katyn in order to clear up this unique case.

The commission personally invited some native Russian witnesses, who amongst other things confirmed that in March and April 1940 large rail transports with Polish officers were unloaded almost daily, at Gniesdowa station near Katyn, then transported in prisoners' lorries to the forest Katyn and were never seen again;

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they further noted the previous findings and identification, and inspected the evidence discovered. According thereto 982 bodies were exhumed up to 30 April 1943. About 70% of them were immediately identified, whilst the papers of the others could only be utilized for identification after careful preparation. The bodies exhumed before the arrival of the commission were all inspected, and an inquest held on a considerable number by Professor BUHTZ and his collaborators. Up to today 7 mass-graves were opened, the largest of which contained approximately 2500 bodies of officers.

Inquests on 9 bodies were held personally by the members of the commission, and on numerous specially chosen cases a post-mortem was held.

Forensic-medical results of the inspections and examinations carried out.

A shot in the head was without exception observed as cause of death of all bodies so far exhumed. It was throughout a matter of shots in the head and, predominately, of a single shot in the neck, in rare cases of double shots in the neck, in a single case of a treble shot in the neck. The bullet hole is usually low in the neck and leads into the bone of the occiput near to the occiput hole, whilst the spot where the bullet left as a rule lies in the vicinity of the beginning of the hair growth, in very rare cases deeper. It is throughout a matter of pistol shots of less than 8 mm caliber.

From the fracture of the skull and the finding of powder-smoke on the occiput bone near the spot where the bullet entered, and also from the similar localization of the points where the bullet entered, it is to be concluded that it was a point-blank shot or from closest range, especially as the direction

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of the fire-channel is also similar with only a few slight deviations. Fro the striking similarity of the injuries and the localization of the points where the bullet entered in a very limited region of the occiput, skilled hand may be supposed. On numerous bodies similar handcuffing and in some cases also four-edged bayonet thrusts in clothing and skin could be established. The carrying out of the chaining corresponds to the chaining established on bodies of Russian civilians who were also exhumed in the forest of Katyn and were buried much earlier. It was moreover, established also that the shots in the neck on the bodies of Russian civilians had been similarly accurately aimed.

From the establishment of an oblique blow on the head of a Polish officer, killed by a shot in the neck, which had only crashed in the exterior bone, is to be concluded that another officer was first killed by this bullet and that, on leaving his body, it pierced the body already shot and lying in the trench. From this fact it may be presumed that shootings were obviously carried out in the trenches in order to avoid transport to the place of burial.

The mass graves are in a forest glade. They are completely levelled and planted with young pinetrees. From the personal observation of the members of the commission and the statement of the Forestry Official von HERFF, called in as expert, it is a question of pine trees of at least five years old, poorly developed in the shade of big trees, which were planted on this spot three years ago.

The mass graves are arranged in the form of steps in the hilly territory, which consists of pure sand. They reach partly down to the surface water.

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The corpses are lying almost exclusively on their faces, tightly packed next to one other and above one other; lying orderly along the side but more promiscuously in the middle. The legs are almost always stretched out. Quite obviously they were laid away in a systematic manner. According to the unanimous observation of the Commission the exhumed bodies show on the whole and individually, - especially as regards buttons, insignia of military rank, decorations, shape of boots, ink markings in underwear - the unmistakabl the characteristics of Polish uniforms. We find here winter clothing; frequen ly there are found furs, leather jackets, knitted vests, officers' boots, officers' caps typically Polish. Only few of the corpses do not seem to be those of officers; in one case it was a priest. The measurements of the clothing correspond to the measurements of the individual bodies. The underwear is properly buttoned; suspenders and belts are in the proper place. This shows the men wore their uniforms until they died when they were buried with them without ceremony and covered with earth.

None of the corpses have watches and rings although notes made in several diaries until the very last days and with exact statement of the time of entry indicate that there must have been watches. Objects of rare metal were discov ed only on a very few corpses and in very hidden places. On the other hand the set of teeth of many of the corpses still included gold teeth .. Polish bank notes were found in considerable quantities; there were cigaret and match boxes on the corpses, in several instances also tobacco boxes and cigaret holder engraved "Kocielsk" (the name of the last Sovjet prisoner-of-war camp of the murdered persons). The documents found on the corpses (diaries, correspondence, newspapers) dated from the time of fall of 1939 to March and April 1940 . The last date so far established is that of a Russian newspaper of 22 April 1940.

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The degrees and manifestations of decomposition due to storing of the corpses in the pit and stocking them closely together vary. In addition to mummification on the surface and along the edges of the mass of corpses, moist maceration is evident in the medium portions of the pile of corpses. The sticking together and riveting together of adjacent corpses through the solidifying fluids of the corpses, - especially the deformations brought about by pressure point definitely to the fact that the positions are the original ones.

There is a complete absence of insects or insect residues on the corpses possibly dating from the time the corpses were buried. From this it follows that burying and covering took place during a cold season of the year when there were no insects.

A larger number of sculls were examined for changes which, according to the experiences of Professor ORSOS are of extreme importance for the determination of the time of death. We have here an incrustation of tufaceous limestone of several layers on the surface of the brain pulp already homogenized in loam-like fashion. These manifestations do not exist for corpses which have been in the grave less than three years. That was the condition, among others, which was particularly pronounced for the skull of corpse No.526 bedded on the surface of a huge mass burial pit.

Synopsis of Survey.

The commission examined in the woods of Katyn mass pits of Polish officers of which so far seven were opened. From these 932 corpses were so far recovered; post-mortem examination was made on part of them about 70 percent being identified.

All the corpses gave proof of shots in the neck as the exclusive cause of death. From statements of witnesses, from letters found on the corpses, from diaries, newspaper, and so forth it is evident

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that shooting took place in the months of March and April 1940. This corroborates perfectly with the findings made on the mass graves and on the individual corpses of the Polish officers and as described in the minutes.

Dr. Speleers (Dr. Speleers)	Markov (Dr. Markov)	Dr. Tramsen (Dr. Tramsen)
Arno Saxén (Dr. Saxén)	V.M. Palmieri (Dr. Palmieri)	Dr. E.L. Miloslavich (Dr. Miloslavich)
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